

PLANNING AND DEVELOPMENT COMMITTEE AGENDA

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

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 meeting held 1 December 2021 (copy previously circulated).
3	Declarations of Interest Members to declare interests in any agenda items
4	Planning Applications (Pages 3 - 8) Report of the Service Director, Development, Transport and Public Protection
4i	No. 1 - 89-91, 93-95 Woodbine Street, Bensham, Gateshead NE8 1ST (Pages 9 - 18)
4ii	No. 2 - Land bounded North & South of Blackfell Way, Northside, Birtley (Pages 19 - 52)
4iii	No. 3 - Ateres Girls High School, Willow Grove, Felling, NE10 9PQ (Pages 53 - 68)
5	Delegated Decisions Report of the Service Director, Development, Transport and Public Protection
6	Enforcement Team Activity (Pages 69 - 70) Report of the Service Director, Development, Transport and Public Protection
7	Enforcement Action (Pages 71 - 76) Report of the Strategic Director, Communities and Environment

8 | **Planning Appeals** (Pages 77 - 80)

Report of the Service Director, Development, Transport and Public Protection

9 | **Planning Obligations** (Pages 81 - 82)

Report of the Service Director, Development, Transport and Public Protection

Contact: Helen Conway - Email: HelenConway@gateshead.gov.uk, Tel: 0191 433 3993
Date: Tuesday, 14 December 2021



PLANNING AND DEVELOPMENT
COMMITTEE
22 December 2021

TITLE OF REPORT: Planning applications for consideration

REPORT OF: Anneliese Hutchinson, Service Director,
Climate Change, Compliance, Planning and
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/21/00326/FUL	89-91, 93, 95 Woodbine Street Bensham	Lobley Hill And Bensham
2. DC/21/00774/FUL	Land Bounded North And South Of Blackfell Way. North Side	Lamesley
3. DC/21/01003/FUL	Ateres Girls High School Willow Grove	Felling

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.

We have carried out a Review of the CSUCP and concluded that it remains up-to-date in that it continues to be in general conformity with the provisions of the NPPF and helps to deliver the key priorities and aims of both.

The Council adopted Making Spaces for Growing Places (MSGP) on 1st February 2021, and this part of the Local Plan complements the CSUCP by setting out non-strategic allocations, designations and development management policies for Gateshead.

In accordance with the Planning and Compulsory Purchase Act 2004 (as amended) the CSUCP and MSGP form part of the statutory development plan for Gateshead. The CSUCP and MSGP between them supersede and delete all of the saved policies remaining from the Unitary Development Plan (UDP). Lists of the respective deleted UDP policies are provided in Appendix 1 of the CSUCP and Appendix 19 of MSGP.

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.

The Council has published Supplementary Planning Documents to indicate the preferred approach to some types of development, and give greater detail on how some policies will be considered and applied. These continue to be revised and updated where appropriate.

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 Team on (0191) 433 3150 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 on the Councils website or by appointment at the Civic Centre, Regent Street, Gateshead NE8 1HH.

Generalised Guide to Use Classes Order 1987 (as amended September 2020)

C1 Hotels	Hotels, boarding and guest houses where no significant element of care is provided	Class E - Commercial, Business and Service	E(a) Display or retail sale of goods, other than hot food E(b) Sale of food and drink for consumption (mostly) on the premises E(c) Provision of: (c)(i) Financial services, (c)(ii) Professional services (other than health or medical services), or (c)(iii) Other appropriate services in a commercial, business or service locality E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink.) E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner) E(f) Creche, day nursery or day centre (not including a residential use) E(g) Uses which can be carried out in a residential area without detriment to its amenity: (g)(i) Offices to carry out any operational or administrative functions. (g)(ii) Research and development of products or processes (g)(iii) Industrial processes
C2 Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres • C2(a) Secure residential Institutions - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks		
C3 Dwellings	• C3(a) covers use by a single person or a family, an employer and certain domestic employees, a carer and the person receiving the care and a foster parent and foster child • C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems • C3(c) allows for groups of people (up to six) living together as a single household.	F1 Learning and non-residential institutions F2 Local community	• F1(a) Provision of education • F1(b) Display of works of art (otherwise than for sale or hire) • F1(c) Museums • F1(d) Public libraries or public reading rooms • F1(e) Public halls or exhibition halls • F1(f) Public worship or religious instruction (or in connection with such use) • F1(g) Law courts • F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres • F2(b) Halls or meeting places for the principal use of the local community • F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms) • F2(d) Indoor or outdoor swimming pools or skating rinks
C4 Houses in Multiple Occupation	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	Sui generis – no class will always require permission	Any use not included within any of the above use classes, such as theatres, nightclubs, taxi businesses, motor vehicle sales, betting shops Hot Food Take Away shops, Public Houses and drinking establishments with expanded food provision.
B2 General Industry	General industry not within class E(g).		
B8 Storage and Distribution	Wholesale warehouses repositories, including open air storage		

In many cases involving similar types of use, a change of use of a building or land does not need planning permission. Planning permission is not needed when both the present and proposed uses fall within the same 'class', or if the Town and Country Planning (Use Classes) Order 1987 says that a change of class is permitted to another specified class.

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Committee Report

Application No:	DC/21/00326/FUL
Case Officer	Richard Smith
Date Application Valid	12 March 2021
Applicant	Shlomo Edry
Site:	89-91, 93, 95 Woodbine Street Bensham Gateshead NE8 1ST
Ward:	Lobley Hill And Bensham
Proposal:	Conversion of 4 flats into one 10no bedroomed dwelling with front porch, front and rear dormers and two storey rear infill extension (amended description and plans 29.09.21)
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF SITE.

The application site is a north-west facing mid terraced property on Woodbine Street. The property is currently subdivided into two pairs of Tyneside flats. The two ground floor flats have two bedrooms, and the two upper flats have five bedrooms as they include accommodation in the loft space.

1.2 The host property adjoins no's 85-87 Woodbine Street to the north-east and no's 95-97 Woodbine Street to the south-west. The properties have an existing rear yards and small front yards with a dwarf wall across the front of both pairs of flats.

1.3 Located south of the back lane behind Woodbine Street is Claremont Place which is located in but on the boundary of the Coatsworth Conservation Area.

1.4 DESCRIPTION OF APPLICATION

The application under consideration seeks planning permission for a change of use from 2no two bedroomed flats and 2no five bedroomed flats (use class C3) to a 10no bedroomed house with a front porch, front and rear dormers and two storey rear infill extension.

1.5 The submitted plans show 6no bedrooms (one of which is en-suite) and 2no family bathrooms and laundry on the first floor and 4no bedrooms on the second floor, two of which are en-suite. The ground floor shows an office, family room, kitchen with sukkah roof, Passover kitchen, living room and dining room.

1.6 PLANNING HISTORY

No relevant previous planning history

2.0 Consultation Responses:

None 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. In addition to direct neighbour notification letters, a site notice was displayed, and a press notice published, as the development could affect the setting of the Coatsworth Conservation Area.

3.2 7no letters of objection were received, raising concern with regards

- Increased noise
- Increased traffic
- Increased parking
- Size of development inappropriate
- Back Lane being blocked during construction
- Lack of parking
- Concerns over property being a HMO
- Disturbance from building works
- Current residents being evicted
- Potential for structural issues
- Works already started on site

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS9 Existing Communities

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP24 Design Quality

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 use in terms of housing policy, visual amenity/heritage, residential amenity, and highway safety and parking.
- 5.2 **HOUSING POLICY**
Policy CS9 of the Local Plan for Gateshead states that existing communities will be sustainable places of quality and choice. This will be achieved by preventing the loss of family homes, through the sub-division, change of use or redevelopment and by preventing an over concentration of shared accommodation.
- 5.3 Furthermore, paragraph 92 of the NPPF, states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social integration... through mixed-use developments. Paragraph 93, then goes on to state that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. Whilst, paragraph 60 states, that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
- 5.4 The proposed development will see four existing properties converted in one, however given that only two of the existing flats meet the benchmark to be considered family homes ie they have over three bedrooms, the proposed development will result in the loss of one family home which in turn would conflict with part 1 of policy CS9.
- 5.5 However, officers consider that given the proposed development would provide specialist housing for the Jewish Community, it is considered that it would help to maintain the range of house types in the borough and increase the choice of accommodation, in accordance with part 3 of CS11.
- 5.6 Policy MSGP12 also sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). The NDSS does not provide space standard criteria in relation to a dwelling of this size and therefore it cannot be directly applied. However, the proposed development is considered to provide adequate space for occupants, both in terms of room sizes and storage provision.
- 5.7 On balance it is considered that the proposed development would increase the range and choice of specialist accommodation within the borough, and whilst one family home would be lost, the application is considered acceptable and in accordance with the NPPF and policies CS11 and MSGP12 of the Local Plan for Gateshead.
- 5.8 **VISUAL AMENITY/HERITAGE**

The proposed development will incorporate a front porch and dormer, whilst the front porch is not a dominant feature within the street scene, there are examples in close proximity and as such would not appear alien.

- 5.9 A number of properties along Woodbine Street have front dormers and as such the proposed dormers under consideration would not appear incongruous within the context of the site.
- 5.10 With regards to the rear of the property, the rear dormer again is a feature of the street and would not appear out of character.
- 5.11 The two-storey infill extension will not project beyond the existing off-shoots and as such will not impact on the appearance of the property or the wider street scene.
- 5.12 As this development would be within the setting of the Coatsworth Conservation Area, required by MSGP25 (2) an assessment has been made of the impact of the development on the designated heritage asset. It is not considered that the external alterations would dominate the Conservation Area, or its setting and it would not therefore be harmful to its significance.
- 5.13 Therefore, given the above it is considered the proposed development is in accordance with the aims and objectives of the relevant paragraphs in the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.
- 5.14 **RESIDENTIAL AMENITY**
The proposed development will see four existing flats converted into one large family home. It is not considered the proposed change from four properties to one will impact upon the amenity of the neighbouring properties.
- 5.15 The proposed two-storey infill extension does not project beyond the two existing two storey off-shoots to the rear and as such will not lead to any overlooking, outlook, or loss of light concerns to the neighbouring properties on either side. To the rear there is a separation distance of approximately 14 metres, however regard is given to the existing windows on the two-storey off-shoot, therefore given the extension will not project any closer to the properties to the rear than is existing.
- 5.16 The front and rear dormers will not lead to an unacceptable level of overlooking, outlook, or loss of light to the neighbouring properties on either side
- 5.17 The proposed porch is designed at an appropriate size and scale that it will not lead to any residential amenity concerns.
- 5.18 Therefore, it is considered the proposed development complies with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.19 **HIGHWAYS AND PARKING**

Paragraph 111 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 5.20 Policy CS13 of the CSUCP ensures any new development provides safe, secure and direct pedestrian links.
- 5.21 The existing flats have no allocated car parking provision and rely solely on on-street parking being available. The proposed conversion would not necessarily place any further demand on parking along Woodbine Street. Officers are also satisfied that there are legal restrictions in place in the surrounding area to prohibit indiscriminate parking.
- 5.22 Pedestrian connectivity and access to public transport is good and there are local amenities in close proximity.
- 5.23 A suitably worded condition is recommended to secure and fully weatherproof cycle parking.
- 5.24 It is considered that the proposal would comply with the aims and objectives of the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.
- 5.25 OTHER MATTERS
There have also been representations submitted at the prospect of the property operating as a House of Multiple Occupation (HMO), the proposed development does not seek permission for a HMO, however if planning permission for a single C3 dwelling house is granted, this property would be afforded Permitted Development Rights to convert, without the need for Planning Permission, to an HMO for between 3 and 6 occupants, as well as being able to be further extended or altered. As a result, the relevant Permitted Development Rights - for both the physical extensions and the change to a HMO (under the C4 Use Class) are recommended to be removed through an appropriately worded condition. The use of the property as an HMO for greater than 6 occupants would require Planning Permission in any event, so does not need to be subject to a planning condition.
- 5.26 Objections have been received regarding the existing tenants being evicted from the property. It is considered that this is a private matter between the two parties and as such would not be a material planning consideration.
- 5.27 Further objections have been received regarding the potential for structural issues, the structural stability of an extension would be dealt with via a Building Regulations application and therefore would not be considered as part of this application.
- 5.28 Planning Law sets out that retrospective applications can be made although any work undertaken in advance of gaining planning permission would be undertaken "at risk" should permission not be granted, or amendments required.

5.29 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not a CIL chargeable development.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is therefore recommended that planning consent be granted, as the development has been able to demonstrate that it is acceptable in principle and subject to suitable conditions would not cause significant harm to amenity or highway safety. It is considered that the development 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.

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

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

1

The development 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.

2

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

21007-01

21007-02

21007-05

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

The development hereby permitted shall be constructed entirely of the materials detailed on the application form.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

4

No part of the development hereby approved shall be first occupied for the use hereby approved until secure and weatherproof cycle parking, capable of storing at least four cycles, has been provided on site. The provisions of which shall be retained on site in perpetuity.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policy CS13 of the CSUCP and the Gateshead Cycling Strategy.

5

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the demolition and 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 and policies CS14 and MSGP17 of the Local Plan for Gateshead.

6

Notwithstanding the provisions of Article 3, Class A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no physical alterations or extensions shall be made to the dwelling without planning permission being granted by the Local Planning Authority.

Reason

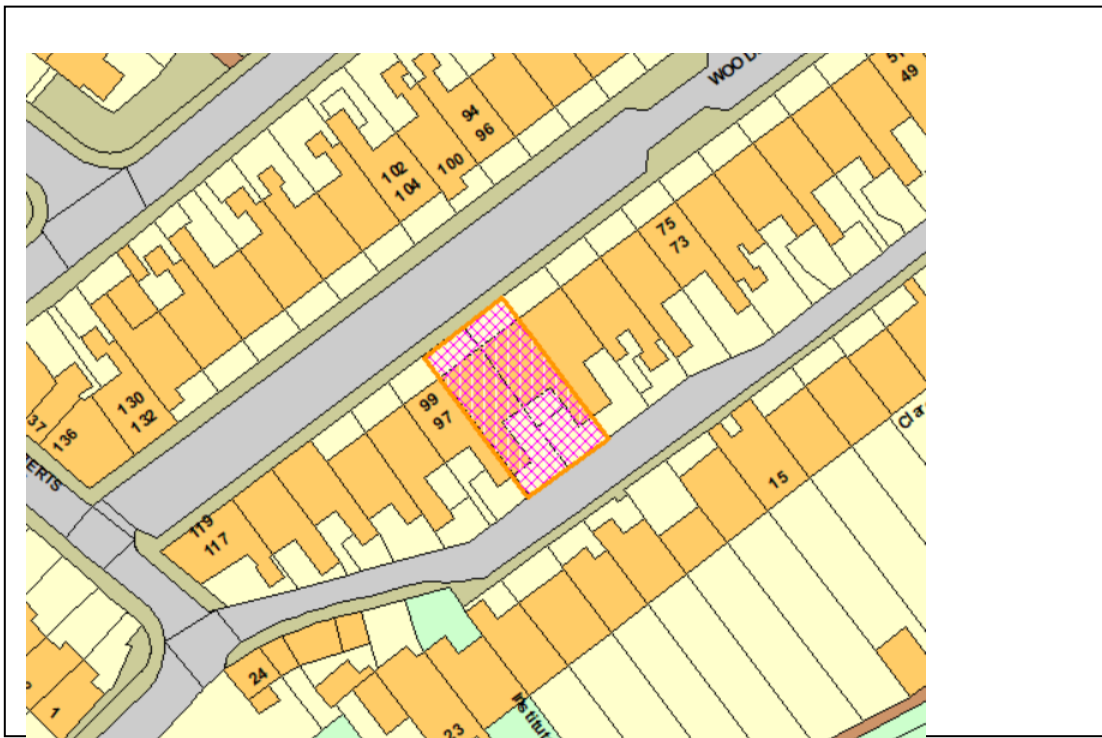
In the interests of the visual amenities of the area and to prevent over development of the site in accordance with the NPPF and policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

7

Notwithstanding the provisions of Article 3, Class L of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the change of use from a dwelling to a HMO for between 3 and 6 occupants would not be permitted without planning permission being granted by the Local Planning Authority.

Reason

To ensure the property operates as dwellinghouse (use class C3) and in accordance with the NPPF and policies CS11 and MSGP12 of the Local Plan for Gateshead.



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Committee Report

Application No:	DC/21/00774/FUL
Case Officer	Joanne Munton
Date Application Valid	23 August 2021
Applicant	Mr. John Collins
Site:	Land Bounded North And South Of Blackfell Way. North Side Gateshead Birtley
Ward:	Lamesley
Proposal:	Erection of 73 residential dwellings with associated infrastructure, landscaping and SUDS drainage (additional information and amended plans received 11/10/21, 12/10/21, 11/11/21, 12/11/21, 16/11/21 and 26/11/21).
Recommendation:	MINDED TO GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF SITE

The site located to the north east of Birtley town centre and is between Gateshead Regeneration Partnership’s (GRP) residential development, Birtley Phase 2 (marketed as The Aspens) to the south and a separate housing site to the north (subject to pending planning application DC/19/01250/FUL). The site is accessed via Blackfell Way, which runs parallel to the western boundary of this application site, bends around to be north of the separate site and then back heading south parallel with the eastern boundary of the application site.

1.2 The site topography slopes up from west to east with a variation of levels across the site. For the majority of the site, the topography is an even gradient with an increasing steepness closer to the eastern boundary. The highest point of the site is the south eastern corner, and there is also a knoll located in the north eastern part of the site. The lowest point of the site is the south western corner, adjacent the road access off Blackfell Way.

1.3 The site is mainly vegetated, with a belt of trees/planting along most of the southern boundary. There are two main trodden paths running east to west across the site, and a more formal hardstanding path running between this site and the Phase 2 site to the south.

1.4 This site and the site between this one and Blackfell Way to the north are both allocated for housing under Local Plan policy MSGP9.

1.5 DESCRIPTION OF APPLICATION

The application proposes the erection of 73 two storey residential dwellings with associated infrastructure, landscaping and SuDS drainage.

- 1.6 The vehicle access point would be at the south west of the site and the proposed units would follow a circular/loop road layout. Shared surfaces proposed at intervals around the site and the layout shows an indicative SuDS basin and a play space at the south western corner of the site. A cycle route is proposed to link to the northern boundary of the site (indicatively shown to link to the separate site pending application DC/19/01250/FUL) and run south between two plots then join the footway to then link with the cycle route at Phase 2 to the south.
- 1.7 The proposed housing mix is as follows:
 - 4 x 2 bed/4 person
 - 6 x 3 bed/4person
 - 27 x 3 bed/5 person
 - 4 x 4 bed/5 person
 - 12 x 4 bed/6 person
 - 20 x 4 bed/7 person
- 1.8 Therefore, the application proposes 69 (94.5%) family homes (3+ bedrooms).
- 1.9 Eight of the dwellings (10.95%) are proposed to be affordable shared ownership.
- 1.10 Specific details/specification of materials have not been submitted with the application, but a materials layout indicates a mix of red multi and cream multi bricks, with grey roof tiles, grey doors and windows, and black meter boxes and guttering.
- 1.11 **RELEVANT PLANNING HISTORY**

Outline planning approval (ref. 610/92) was granted on 12th September 1994 for the development of 41 Acres of land for residential purposes, primary school, shopping and community uses, public open space and a new spine road at Northside, Birtley, Gateshead.
- 1.12 The consent was renewed on 5th October 1998 (ref. 400/97).
- 1.13 A full application (ref. DC/03/01528/FUL) was later submitted on 2nd October 2003 seeking a variation of conditions 2, 3, 4, 6 and 7 attached to the initial permission to allow the submission of the Reserved Matters applications over an extended time period. This application was subject to appeal and was approved by the Secretary of State in 2006 to allow continued development.
- 1.14 Also of note is pending application DC/19/01250/FUL for 22 dwellings immediately north of this enquiry site, and the below permissions relating to Birtley Phases 1 and 2:

DC/13/00394/OUT Hybrid planning application comprising a full planning consent for 48 dwellings and outline consent (with all matters reserved) for residential development across Phase 2 at Northside Granted 23.08.2013

DC/13/01069/OUT Variation of condition 1 of DC/13/00394/OUT to remove swale and amend retaining structures of hybrid planning application comprising a full planning consent for 48 dwellings and outline consent (with all matters reserved) for residential development across Phase 2 Granted 14.01.2014

DC/15/00174/NMA Proposed non-material amendment to application DC/13/01069/OUT to allow substitution of Affordable Housing Statement listed in condition 1. Granted 18.03.2015

DC/14/00753/NMA Non-material amendment of planning permission DC/13/01069/OUT to allow installation of different windows. Granted 21.07.2014

DC/15/00404/FUL Erection of 147 dwellings with associated parking and landscaping (amended plans including increased site area and additional information received 12/06/15 and 22/07/15, amended plans and additional information received 14/08/15 and additional information received 18/08/15 and 07/09/15, amended document received 21/09/15). Granted 15.01.2016

DC/16/00479/NMA Proposed non-material amendment of application DC/15/00404/FUL in relation to car screens, porches and canopies of dwellings and window and door setbacks to dwellings. Refused 15.06.2016

DC/16/00651/NMA Proposed non-material amendment of DC/15/00404/FUL to allow position of external door and windows 80mm back from external masonry face from 100mm originally proposed, canopy and porch materials to change and reduction in size of car enclosure to single sided screen with detail to close match original proposals. Granted 07.07.2016

DC/16/00658/FUL Variation of condition 13 of DC/15/00404/FUL to amend wording of condition relating to phasing of site remediation. Granted 04.08.2016

2.0 Consultation Responses:

Coal Authority	Conditions recommended
Northumbria Police	Comments made
Northumbria Water	Condition recommended
Tyne And Wear Archaeology Officer	No objection

Tyne And Wear Fire And Rescue Service	No objection
Northern Powergrid	No objection
Northern Gas Networks	No objection
Nexus	Conditions recommended

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 Two objections have been received, raising concerns regarding the following:

- Loss of green space
- Impact on ecology
- Lack of amenities such as shops, restaurants and cycle routes
- Lack of improvement to bus services
- Impact on capacity of GP practice
- Existing poor build quality

3.3 One letter of support has been received, making the following comments:

- Provision of much needed quality housing to the area
- Previous phases were sympathetic to the local area and built with sustainability and the environment in mind
- Measures to alleviate on-street parking congestion
- Local investment,
- Attract professionals

3.4 One representation has been received querying whether GP services in the area will be expanded.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

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

MSGP8 Digital Infrastructure

MSGP9 Housing Sites Allocation

MSGP10 Accessible and Adaptable Dwellings

MSGP12 Housing Space Standards

MSGP14 Mitigating Impact on Transport Network

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP36 Woodland, Trees and Hedgerows

MSGP 37 Biodiversity and Geodiversity

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 housing policy, open space and play, highway safety and parking, design, residential amenity, drainage, ecology, trees, ground conditions, climate change, and digital infrastructure.
- 5.2 **HOUSING POLICY**
The latest results of the Housing Delivery Test (HDT) show that only 63% of homes required are being delivered in the Borough. The proposed scheme will therefore have the potential to increase delivery, which is a positive factor.
- 5.3 The application site, together with the separate site to the north, forms part of a larger site allocated for housing under policy MSGP9, with a total capacity of 132 homes given. Pending application DC/19/01250/FUL referenced above at the northern part proposes 22 houses. The submitted site plan for this

application demonstrates that the northern part of the allocated site could still be developed alongside this part of the site and would therefore not undermine housing delivery in the Borough.

- 5.4 Policy CS11(4) of the CSUCP requires adequate space inside and outside of the home to meet the needs of residents. Policy MSGP12 of MSGP also sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS). This policy will apply one year after adoption (1 February 2022) to allow for a transition period. It is noted that the details submitted with the application set out that all dwellings will conform to the NDSS in any event, and this is welcomed. It is also considered that the proposal would provide adequate space for residents, and therefore would comply with policy CS11.
- 5.5 Policy MSGP10 sets out that on housing developments of 15 or more dwellings, 25% of dwellings will be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards. This would mean that 19 of the proposed 73 dwellings would need to comply with this standard. Policy CS11 also seeks to encourage the provision of Lifetime Homes and Wheelchair-Accessible Homes. It is noted that the details submitted with the application set out that all dwellings will be Lifetime Homes compliant. Whilst this is welcomed it should be ensured that the M4(2) standards are also met. It is acknowledged that many of the Lifetime Homes features will apply to M4(2) standards, and it is recommended that a condition be imposed securing this requirement.
- 5.6 Part 1 of policy CS11 of the CSUCP requires 60% of new private housing across the plan area being suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. The application proposes 69 (94.5%) family homes so would help to achieve this target.
- 5.7 Policy CS11(5) requires the provision of 15% affordable homes on all developments of 15 or more dwellings subject to development viability. Eight of the dwellings (10.95%) are proposed to be affordable shared ownership, and the application does not incorporate the preferred tenure split as set out in the Planning Obligations SPD. The applicant (GRP) states that they are committed to providing a minimum 25% affordable housing across a series of schemes as a whole, targeted specifically to areas of most need, and that through the delivery of all its developments 75% earmarked for general needs social rent and 25% for affordable shared ownership tenures. Of the sites that the applicant refers to, and including the development in this proposal, it is understood that the affordable homes being brought forward would stand at 18.79%. Whilst this is below the applicant's 25% target, it is above the 15% policy requirement.
- 5.8 **HIGHWAY SAFETY AND PARKING**
The application proposes 73 dwellings. The Council's maximum private parking ratio for new developments is 2 spaces per dwelling, which equates to a maximum allowance of 156 spaces on this site. The development will be

provided with 110 private parking spaces, which is within Council parameters. Visitor parking is to be provided at a ratio of 1 space per 4 dwellings (which equates to 19 spaces in total). The proposed cycle storage (a shed with integral Sheffield-style stand) is considered to be acceptable, and a condition is recommended to require implementation of the approved details.

5.9 There are no concerns relating to future waste/bin management on site.

5.10 Additionally, it is recommended that conditions be imposed requiring a full final Travel Plan to be submitted and to the LPA for consideration, and implementation and maintenance/monitoring of the approved details.

5.11 Cycle Route

The submitted details show provision of a strategic cycle route, which will be a shared cycle and pedestrian path linking to Birtley Phase 2 to the south, and with the intention to link with potential provision at the separate site to the north.

5.12 Cyclists within the development site would cross at two raised/level plateaus. The route itself will be protected by no waiting at any time restrictions (double yellow lines). Shared pedestrian/cycle pavements and signage would highlight that this route is for pedestrians and cyclists only. The route within the development site has been subject to a stage 1 Road Safety Audit (RSA). The problems identified in the auditor's report have been addressed (with actions agreed) and officers are satisfied that the proposals are fit for purpose at this planning stage.

5.13 It is recommended that conditions be imposed requiring final details of cycle route signage and markings to be submitted to the LPA for consideration, and implementation of the approved details. Additionally, it is recommended that an informative be attached advising that the developer is responsible for seeking a Traffic Regulation Order for the waiting restrictions.

5.14 Extension to 20mph Zone, Blackfell Way

A preliminary design for a traffic calming scheme and extended 20mph zone on Blackfell Way has been submitted with the application. This proposes the use of cushions (with splitter islands as necessary) as well as the removal of an existing pedestrian refuge and replacement with a build-out feature that will include a pedestrian and cycle crossing facility. This detail has been subject to a stage 1 RSA with all problems resolved (or to be actioned) and officers are satisfied that the proposals are fit for purpose at this planning stage.

5.15 It is recommended that conditions be imposed requiring submission of a detailed design for the 20mph scheme to the LPA for consideration, and its implementation of the approved scheme. Additionally, it is recommended that an informative be attached advising that the design work must be completed by Gateshead Council's Highway Design Team, that Stage 2, 3 and 4 RSAs will be required in due course and that the proposed traffic calming cushions require a formal hump notification to be advertised by the Council's Network Management team.

5.16 Other highway works

The stage 1 RSA identified concerns in relation to the existing tactile paving crossing points on Blackfell Way and also the possibility of foliage interfering with the proposed visibility splay at the bellmouth junction onto Blackfell Way.

5.17 It is recommended that conditions be imposed requiring submission of final details for new/replacement tactile paving crossing points at the vehicular access onto Blackfell Way, securing of the 2.4m x 43m visibility splay at Blackfell Way junction including details of all foliage/trees to be removed, and implementation of the approved schemes.

5.18 Conditions are also recommended to be imposed requiring final details of the removal of the unused bellmouth access on Blackfell Way (to the east) and the area reinstated as a continuous footway and verge to be submitted to the LPA for consideration, and implementation and maintenance of the approved details.

5.19 The developer has indicated that a 2m x 2m visibility splay would be available at all driveways. A number of driveways would have retaining walls alongside them and it is recommended that conditions be imposed requiring final details demonstrating a 2m x 2m visibility splay at all driveways be submitted to the LPA for consideration, and implementation of the approved details.

5.20 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.

5.21 Additionally, it is recommended that conditions be imposed requiring:

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49)
- Final details of the new footpath at the south eastern part of the site
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site
- All kerbing throughout the development to have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points;
- The raised plateaus to be 100mm high, with 1:10 on/off ramps;
- Channel drains where any driveway falls towards a public footway or carriageway

5.22 An informative is recommended advising that a section 278 legal agreement is required for all permanent changes to existing highway (such as the 20mph zone/traffic calming area, closure of the unused bellmouth access, and the new tactile paving pedestrian crossing points), and also that a section 38 agreement is required for any area proposed for adoption as public highway, and the Council will not adopt any retaining structures. Comments from the adoptions team have been received and it is recommended that the applicant is made aware of these by appending them to the decision notice.

- 5.23 Further, whilst there are no formal Public Rights of Way across the site, there are some well-trodden tracks across the land. The developer has commented that they consider there to be no risk is present, but this is without justification/reasoning. It is considered that there is a strong possibility that these trodden tracks have acquired highway status and claims could be made. The proposed development layout caters for pedestrian movements in all directions and so the new footways/paths would effectively replace the well-trodden existing tracks with higher-quality pedestrian routes, and this is considered to be acceptable. Nevertheless, an informative is recommended to be added to the decision advising that a stopping-up order should be applied for via the DfT under the Town and Country Planning Act.
- 5.24 Subject to conditions, it is considered that the proposal for 73 dwellings would not result in an unacceptable impact on highway safety, and would comply with the aims and requirements of the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.
- 5.25 NEXUS
Section 7.0 of the Design and Access Statement proposes the Access Strategy of the development and shows several bus stops around the site along Blackfell Way, including three 'future bus stops' to adjoin the same route as the existing bus stops. However, Nexus is aware that the existing bus stops marked on the submitted diagram are not currently in use after the suspension of the Go North East 82 service in September 2021. This means that no bus services currently operate along Blackwell Way as of October 2021, suggesting Go North East saw there was little commercial viability for this service route as a result of their recent 2021 Network Review.
- 5.26 Nexus welcome the provision of new bus stops along Blackfell Way which would serve this development well, giving all residents an accessible option to travel via public transport. However, this would only be the case if these bus stops can be used regularly by a bus service. On consultation with Go North East, Nexus has established that due to smaller roads on Highridge with many parked cars causing a barrier to the bus to traverse this area and a lack of patronage from this area of Birtley overall triggered the decision for service 82 to be withdrawn. Therefore, Go North East have established that any such future service which operates here in the future would need to be a minibus.
- 5.27 There are two bus stops located on Mount Pleasant, 650 metres walking distance from the development. At present the Go North East 25 service traverses this road with a half hourly service operating between Newcastle and Langley Park via Gateshead Interchange and Chester le Street. Whilst this walking distance is more than what is prescribed in the Nexus Planning Liaison Policy (and as such is deemed unacceptable for a development of this kind), there is a potential for these stops to be used routinely by some residents of this development.
- 5.28 Nexus recommends that the LPA seek to secure contributions for public transport from other Northside development phases to fund an appropriate

minibus service for these existing and future stops on Blackfell Way. Nexus is of the view that this option should be the priority to best utilise the stops on Blackfell Way as an accessible point for all residents of this proposed development to travel via sustainable modes. Bearing in mind the tests for conditions set out in the NPPF, it is recommended that appropriate provision is included in conditions relating to the Travel Plan, proportionate to the development proposed.

5.29 Nexus also recommends that a condition be imposed requiring the developer/applicant to meet the costs of two introductory tickets per dwelling equalling four weeks travel per ticket to be introduced to residents within their welcome packs, to encourage a greater take up of public transport overall. This is also recommended to be required through the Travel Plan.

5.30 DESIGN

It is considered that the site would be laid out in an appropriate and logical way, and that each unit would have adequate space. 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.

5.31 The proposed house types would have a similar appearance to those at Phase 2 to the south, with some differences to indicate design progression. There is use of feature bricks and stack bonding to represent the next generation of house design, and the feature houses also have pitched roofs rather than flat roofs (as in phase 2).

5.32 The Houses would be constructed from Red Multi or Cream/Buff Multi brick, with feature elements in opposing brick. The units would also incorporate grey coloured UPVC windows and soffits / fascias and black rainwater goods. The main roof would be pitched construction with Marley modern smooth grey roof tiles.

5.33 The use of dual aspect dwellings and prominent building frontages on corners and detached dwellings would create points of specific visual interest, contribute to a sense of place and act as waymarkers. The relevant prominent houses would enhance surveillance levels, design quality, and visual interest.

5.34 It is considered that the indicative materials proposed would be appropriate, and it is recommended that conditions be imposed requiring final details/specification of external materials to be submitted to the LPA for consideration, and implementation of the approved details. Additionally, it is recommended that conditions be imposed requiring final details of hard landscaping areas and soft landscaping, and implementation of the approved design.

5.35 There are build outs shown at visitor parking bays outside plots 40 and 48, which indicatively show bollards. It is recommended that a condition be imposed requiring installation of these before plots 40 and 48 are respectively occupied.

- 5.36 Additionally, enclosure details have been submitted and these are considered to be appropriate and recommended to be included in the list of approved plans, with the exception of railings, which require final details be submitted to the LPA for consideration.
- 5.37 Northumbria Police have queried the orientation of the proposed dwellings and why they would not face onto Blackfell Way in relevant locations. However, it is noted that the wider principles for the area under outline permission DC/03/01528/FUL makes provision for landscaping at Blackfell Way on each side, and whilst this application is a separate full planning application, consistency with this arrangement is taken into consideration.
- 5.38 Subject to conditions, the proposal would not result in an unacceptable impact on visual amenity and would comply with the aims and requirements of the NPPF and policies CS15 and MSGP24 of the Local Plan.
- 5.39 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. The same is considered in terms of the indicative layout shown on submitted plans of the development site to the north, under pending application DC/19/01250/FUL.
- 5.40 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 a construction management plan, and implementation of the approved scheme.
- 5.41 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.
- 5.42 Details submitted with the application indicate that there would be a change in levels across the site, whereby properties at the eastern parts of the site would be at a significantly higher level. Site sections have been submitted, along with a levels plan, which show the changes in levels across the site.
- 5.43 Land to the south and west would be at a lower level to relevant proposed dwellings (plots 1-7 and 61-73).
- 5.44 Land to the east would be higher than gardens at the relevant dwellings (plots 22-28), and retaining walls are proposed. In particular is plot 28 with a 3.1m retaining wall and 1.8m fence on top of this, although there would be 10.3m between the eastern (rear) boundary and the rear wall of the house. Additionally, plot 22 would have a retaining wall up to 2.5m high and 1.8m

fence on top, at east (rear) and northern (side) boundaries, which would mean that land (and therefore potential dwellings/residential curtilage) at the separate site to the north would be at a higher level; however, it is considered that there is sufficient space at the land to the north for a building to be provided without resulting in an unacceptable overbearing impact at plot 22 in this application.

- 5.45 The dwellings at plots 8-21 would be higher than land to the north, with provision for retaining walls on the boundary. However, these retaining walls would be less than 2m high, and less than 1m high in places, and it is considered that this would not compromise land to the north in an unacceptable way. Further, the proposed site layout indicatively shows the layout for land to the north under pending application DC/19/01250/FUL. It is understood that finished floor levels in this current proposal would be higher than those proposed at the separate site to the north. These do not appear on plans to be in excess of 3m higher, and at properties at the western end (shown on plan to be closer to each other), the finished floor levels would be similar (difference of less than 0.2m).
- 5.46 Also of note is the 1.95m retaining wall with 1.8m fence on top between the rear of plots 60-61 and the side of plot 62. Whilst not ideal, the garden at plot 62 would be higher than land to both the south and west, and it is considered that this would not result in an unacceptable overbearing impact. 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.
- 5.47 In terms of the potential for noise at the new dwellings from traffic on the A1, and any other potential sources of noise in the area, the applicant has confirmed that the glazing design will be equivalent or better than at adjacent developments, and it is recommended that a condition be imposed limiting the internal noise levels in habitable rooms at new dwellings.
- 5.48 Subject to conditions, the proposal would not result in an unacceptable impact on residential amenity, and would comply with the aims and requirements of the NPPF and policies CS14, MSGP17 and MSGP18 of the Local Plan.
- 5.49 **ECOLOGY**
The proposed development site is not located within or immediately adjacent a designated nature conservation site or wildlife corridor, and no significant direct or indirect adverse impact is anticipated on any such features.
- 5.50 The proposed development comprises a mosaic of principally common and widespread habitats of generally low nature conservation value. However, habitats and features both within and immediately adjacent the site have the potential to support a limited suite of statutorily protected and priority species.
- 5.51 Survey work has confirmed the site supports a limited assemblage of common nesting bird species, small numbers of foraging and commuting bats, and several commonly occurring butterfly species. The site is also considered to

provide suitable habitat for small mammals, including hedgehog (s41 NERC Act Species of principal importance).

- 5.52 The application is also supported by a biodiversity net gain assessment, which although stating a baseline value of the site, is unclear at this stage in terms of final confirmation of on-site post enhancement figures.
- 5.53 In accordance with the mitigation hierarchy, recommendations are made to avoid adverse impacts on biodiversity, where possible. Where unavoidable, recommendations are made to mitigate/reduce such impacts. Where residual impacts occur, proposals are made to provide on-site compensation and, where necessary, offsite ecological compensation.
- 5.54 The development allows for the retention of existing areas of broadleaved plantation woodland immediately outwith/adjacent the red line boundary. However, all of the existing habitats on site including semi-improved grassland, scattered scrub and trees would be permanently lost. The proposed layout allows for the creation of small areas of amenity tree and shrub planting, a dry detention basin (SuDS) that would attenuate surface water during extreme rainfall events and small private gardens. These measures would deliver on-site post enhancement habitat units.
- 5.55 Based on the detail submitted at the time of writing, it is considered that the proposed development results in a residual net loss habitat units (which would equate to an equivalent net loss of biodiversity). As such, it is considered that it would be necessary to provide habitat units to be delivered offsite/remote to the development site to achieve measurable biodiversity net gain in accordance with national and local planning policy.
- 5.56 In accordance with good practice guidance, offsite ecological compensation and/or biodiversity net gain measures should be delivered on suitable land within as close proximity to the proposed development site as possible, and should achieve the same level of ecological value and function as those affected. In this instance an offset which targets the creation and/or enhancement of an area of ecological grassland is considered to be the most appropriate.
- 5.57 Therefore, it is recommended that conditions be imposed requiring final details of a scheme to provide an offset, which delivers an appropriate number of habitats units (an offsite biodiversity net gain compensatory scheme which delivers a measurable net gain for biodiversity) to be submitted to the LPA for consideration, and implementation and maintenance of the approved scheme.
- 5.58 Further conditions are recommended to be imposed requiring the following details to be submitted to the LPA for consideration, and implementation of the approved details:
- Biodiversity Method Statement
 - Soft landscaping and on-site habitat creation

- Management, maintenance and monitoring plan for landscaping and on-site habitat creation

- 5.59 Subject to conditions, it is considered that the proposal would not cause unacceptable harm to ecology and would comply with the aims and requirements of the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.
- 5.60 DRAINAGE
A Flood Risk Assessment and Drainage Strategy have been submitted with the application and a SuDS attenuation basin is proposed in the south western corner of the site and all private driveways are proposed to be permeable block paved.
- 5.61 Northumbrian Water have confirmed no objection to the proposal, provided it is carried out in accordance with the Drainage Strategy, which confirms agreed points of connection.
- 5.62 Revised/additional information has been submitted and officers are considering this detail. An update report will provide recommended conditions based on the updated drainage information submitted.
- 5.63 Subject to conditions, based on the updated drainage information, it is considered that the proposal would be acceptable in terms of drainage and would comply with the aims and requirements of the NPPF and policy CS17 of the Local Plan.
- 5.64 GROUND CONDITIONS
The application site falls within the Coal Authority defined Development High Risk Area. Details have been submitted relating to coal mining legacy risk, including results of intrusive ground investigations. The Coal Authority agree with the recommendations of the submitted information and it is recommended that conditions be imposed requiring implementation of the land instability mitigation strategy, and submission to the LPA of a verification report demonstrating the effectiveness of the remediation.
- 5.65 The application site is also situated on potentially contaminated land based on previous historic uses. Details have been submitted relating to land contamination risk, and conditions are recommended to be imposed requiring final details of a report of intrusive site investigations with a Phase II Detailed Risk Assessment, and where required, remediation measures where required, the implementation of approved remediation measures and the submission of verification report(s) demonstrating their effectiveness.
- 5.66 Subject to conditions, the proposal would not result in an unacceptable impact on ground conditions, and would comply with the aims and requirements of the NPPF and policies CS14 and MSGP20 of the Local Plan.
- 5.67 TREES

The application is supported by an Arboricultural Impact Assessment report. It is understood that all the individual trees are proposed to be removed within the developable area with only one individual retained on the northern edge of the site (T16). In addition, groups G4 and G7 would be removed in their entirety and, although mainly shown to be retained, G1 would also be lost for the SuDS scheme. The application also proposes the partial removal of groups G3 and G6.

- 5.68 No mitigation is proposed in terms of planting of new trees in public/adopted areas but are shown on landscaping plans in private gardens. As above, it is recommended that conditions be imposed requiring final details of a landscaping scheme to be submitted to the LPA for consideration, and implementation of the approved scheme.
- 5.69 In terms of the trees to be retained outside of the application site, it is recommended that a condition be imposed requiring the implementation of the submitted Tree Protection Plan.
- 5.70 Subject to conditions, it is considered that the proposal would not cause unacceptable harm to trees and would comply with the aims and requirements of the NPPF and policies CS18 and MSGP36 of the Local Plan.
- 5.71 OPEN SPACE AND PLAY
Whilst the site is not specifically allocated as open space in the Local Plan, it is acknowledged that the land has been used by the public, and loss of this space has been specifically raised in objections.
- 5.72 The site is allocated for housing under policy MSGP9, it is within a ward which is not deficient in open space, and the relevant accessibility standards are also met given the location of nearby areas of public open space. Therefore, there is no policy requirement for this proposal to provide public open space.
- 5.73 There is a deficiency of play space within the Lamesley ward. Policy MSGP40 requires the provision of play facilities to the equivalent of 0.07 ha per 1,000 residents and there is therefore a requirement for 171sqm when calculated using the play space standard. The application indicates that an area 173sqm of play space is to be provided on site at the south western corner, and plans note that details would be provided within a landscape design. It is recommended that conditions be imposed requiring final details of the play space and implementation of the approved scheme.
- 5.74 Subject to conditions, the proposal would comply with the aims and requirements of the NPPF and policy MSGP40 of the Local Plan.
- 5.75 CLIMATE CHANGE
Local Plan policy CS16 states:

Development will be sustainable, able to function effectively in a changing climate and address impacts on climate change emissions. Development will be required to:

1. Use a good standard of building fabric, passive design, and landscaping measures to minimise energy demand,
2. Be flexible from the outset to allow adaptation to alternative uses,
3. Deliver a good level of sustainability required by relevant government schemes/guidance,
4. Minimise its contributions and provide resilience to the ongoing and predicted impacts of climate change,
5. Reduce its whole-life CO2 equivalent emissions impact, and
6. Optimise the use of local renewable or low carbon energy in accordance with the following hierarchy:
 - i. Connection to an existing, or make provision for future connection, to a committed wider decentralised energy scheme within a specified timeframe,
 - ii. Development of a decentralised energy scheme for the whole or significant portion of a development from the outset, including joint schemes with significant adjacent external energy loads,
 - iii. Incorporation of other renewable energy solutions,
 - iv. Incorporation of other low carbon energy solutions in accordance with current government guidelines.

5.76 The National Design Guide also states that well design places:

They make use of potential for renewable energy infrastructures at neighbourhood and building level. These include photovoltaic arrays, heat pumps and district heating systems, to reduce demand for non-sustainable energy sources. (paragraph 140).

5.77 A sustainability statement has been submitted with the application and the Scheme does take into consideration the whole life CO2 emissions of the development, and has adopted a fabric first approach, which seeks to ensure that energy use is minimised. Reduction of energy consumption through building fabric is welcomed.

5.78 The submitted statement sets out that the developer operates in the following ways:

- A robust Sustainable Procurement Policy which emphasises the legal and sustainable sourcing of building materials.
- Efficient and rigorous waste management plans across all development.
- Best practice policies with respect to site pollution will be implemented as standard.
- Development proposals include a drainage scheme to reduce the volume and rate of surface water discharge to green field rates.
- Measure will be incorporated into the design to achieve a water consumption lower than 105 litres per person per day.

5.79 The Statement states that decentralised energy is not feasible due to the distance from source(s). Exploration of other low carbon sources of heat and energy are not included in the statement, and no confirmation/justification is provided as to why these have been discounted/are not proposed.

- 5.80 However, in the current absence of further guidance on a clear approach in instances such as in this case, it is considered that a condition requiring additional evaluation of potential low carbon sources of heat and energy would not be reasonable.
- 5.81 Although the proposal would not fully comply with the aims and requirements of the NPPF and policy CS16 of the Local Plan, as more detailed guidance is not yet available, conditions relating to this matter are not recommended, and, on balance, it is considered that this would not warrant refusal of the application in this instance.
- 5.82 **DIGITAL INFRASTRUCTURE**
MSGP8 states that 'The necessary physical infrastructure to enable access to information and digital communication networks will be integrated into all appropriate new developments.' The supporting text clarifies that all proposals for new dwellings and new business premises will be required to demonstrate that engagement has taken place with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development. The requirements of this policy will be satisfied by the submission of a statement (required either at application stage or through a planning condition) explaining the outcome of this engagement. As such, it is recommended that a relevant condition be imposed to satisfy this requirement.
- 5.83 **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 site is in residential CIL Zone B, which has a charge of £30 per sqm.
- 5.84 **OTHER MATTERS**
The LPA would not require additional amenities or expansion of health care services as part of this particular planning application. It is noted that planning policy MSGP43 does acknowledge the need for a new health care facility for GPs in Birtley, and allocates land east of Durham Road in Birtley (north of Birtley Swimming Centre) as suitable for a new primary health care facility. It is also noted that planning permission has recently been granted for a single storey extension to the side of the medical centre to provide a further 5no. rooms at Birtley Medical Centre, (ref DC/21/00748/FUL) to allow an expansion of GP facilities at that Centre.
- 5.85 Additionally, reported poor build quality/workmanship is not a material planning matter that can be taken into account.

6.0 CONCLUSION

- 6.1 Whilst there are site constraints such as challenging topography and level changes at plots that are not ideal, the proposal would add to the housing

stock in the borough, and overall is considered to be acceptable, subject to conditions.

- 6.2 Taking all the relevant issues into account, it is considered that the proposed development is acceptable in principle and in terms of housing policy, open space and play, highway safety and parking, design, residential amenity, drainage, ecology, trees, ground conditions, and digital infrastructure, and would comply with the aims and objectives of the NPPF, and the relevant policies of the Local Plan.
- 6.3 Due to the current publicity period expiring on 22 December 2021, it is therefore, recommended that Members be minded to grant planning permission, subject to the below conditions, at the expiry of the publicity period.

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 (23 December 2021), and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary:

1

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

QD1432-300-01 Location Plan (A3)
PC0G013-1432-QUE-XX-XX-DR-A-31101-Planning layout REV F
B3-CK-XX-XX-DR-C-9000 External Works Sheet 1 - Rev T2
B3-CK-XX-XX-DR-C-9001 External Works Sheet 2 - Rev T2
QD1432_321_01_Render Site Sections (A0)
QD1432_330_01_Materials layout (A1)(1)
QD1432-316-01 Roof Plan (A1)
PC0G013-1432-QUE-XX-XX-DR-A-33201-Enclosure Layout
PC0G013-1432-QUE-XX-XX-DR-A-33202-Enclosure Details

QD1432_A_01_House Type A(S) REV_A
QD1432_AF2_01_House Type AF2(S) REV_A
QD1432_AF3_01_House Type AF3(S) REV_A
QD1432_B1_01_House Type B1(S) REV_A
QD1432_B2_01_House Type B2(S) REV_A
QD1432_B3_01_House Type B3(S) REV_A
QD1432_C2_01_House Type C2(S) REV_A
QD1432_D1_01_House Type D1(S) REV_A
QD1432_E3_01_House Type E3(S) REV_A
QD1432_F1_01_House Type F1(S) REV_A
QD1432-339-01 Proposed Garages (A1) REV A

QD1432-338-01 Cycle Shed (A2)
PC0G013-1432-QUE-XX-XX-DR-A-35501- Parking Strategy Plan (A1)
REV A
QD1432-01-1020-B - CYCL_RUTE – 211110
B3-CK-XX-XX-DR-C-S38 Section 38 Plan Rev T1
0002180920-E-R0-140621-A1-Rev T1 ('Birtley Street Lighting')
B3-CK-XX-XX-DR-C-2000 Surface Finishes & Kerb Arrangement Rev
T1
B3-CK-XX-XX-DR-C-3001 Public Carriageway Sections Rev T1
B3-CK-XX-XX-DR-C-3005 Section 38 Public Construction Details
Sheet 1 Rev T1
B3-CK-XX-XX-DR-C-3006 Section 38 Public Construction Details
Sheet 2 Rev T1

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

Reason

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

2

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

Reason

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

3

Notwithstanding the approved plans, no new external materials shall be used on site and no railings shall be installed on site until final details of these have been submitted to an approved in writing by the Local Planning Authority.

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 street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan.

4

The details approved under condition 3 shall be implemented in full accordance with the approved details and retained as such for the lifetime of the development.

The final boundary treatment/enclosure details approved under condition 3 shall be implemented in accordance with the approved details before the respective dwelling(s) hereby approved are occupied and retained as such for the lifetime of the development.

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 respective dwellings hereby approved and retained thereafter.

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 street scene, and to ensure the proposal would provide an appropriate level of privacy for future occupiers, in accordance with the NPPF and policies CS14, CS15, MSGP17, and MSGP24 of the Local Plan.

5

All works associated with the development hereby permitted, including the use of any equipment on the site, shall be carried out only between 08:00 hours and 18:00 hours on Mondays to Saturdays and at no time on Sundays or Bank Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF and policies CS14, MSGP17 and MSGP18 of the Local Plan.

6

No development hereby approved shall commence until a 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 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 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

In order to avoid nuisance to the occupiers of adjacent properties during the demolition and construction phases of the development, in accordance with the NPPF and policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan.

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.

7

The development hereby approved shall be implemented wholly in accordance with Construction Management Plan measures approved under condition 6 at all times during construction.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phase of the development, in accordance with the NPPF and policies CS13, CS14, MSGP15, MSGP17 and MSGP18 of the Local Plan.

8

No new hard landscaping shall be used on site until final details of the appearance of the hard landscaping on site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timescale for its implementation.

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 street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan.

9

The hard landscaping details approved under condition 8 shall be implemented in accordance with the approved details, including the

approved timescale, 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 street scene or residential amenity in accordance with the NPPF and policies CS14, CS15, MSGP17 and MSGP24 of the Local Plan.

10

The approved bollard details shown on plans B3-CK-XX-XX-DR-C-3006 Section 38 Public Construction Details Sheet 2 Rev T1 and PC0G013-1432-QUE-XX-XX-DR-A-31101-Planning layout REV F shall be implemented in accordance with the approved details before the dwellings at plots 40 and 48 hereby approved are respectively occupied, 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 street scene in accordance with the NPPF and policies CS14, CS15, and MSGP24 of the Local Plan.

11

No dwelling hereby approved shall be occupied until final details of the play area, including play facilities, 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 the NPPF and policy MSGP40 of the Local Plan.

12

The play area approved under condition 11 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 the NPPF and policy MSGP40 of the Local Plan.

13

No dwelling hereby approved shall be occupied until details of a scheme demonstrating a minimum of 8 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 the NPPF and policy CS11 of the Local Plan.

14

At least 19 of dwellings hereby approved shall be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards.

Reason

To ensure the proposal would provide appropriate range and choice of housing in accordance with the NPPF and policy MSGP10 of the Local Plan.

15

No dwelling hereby approved shall not be occupied until a statement explaining the outcome of engagement with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

16

Internal noise levels in habitable rooms at each dwelling shall meet the sound level values shown in Table 4 of the standard BS8233:2014 – Guidance for sound reduction and noise insulation in buildings.

Reason

To ensure appropriate living conditions for future occupiers in terms of noise, in accordance with the NPPF and policies MSGP17 and MSGP18 of the Local Plan.

17

The cycle storage details shown on plan QD1432-338-01 Cycle Shed (A2) shall be implemented in full accordance with the approved details before each respective dwelling is occupied, and retained and maintained as such for the lifetime of the development.

Reason

To ensure appropriate cycle parking provision on site, in accordance with policies CS13 and MSGP15 of the Local Plan, and the NPPF.

18

No dwelling 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 the NPPF and policies CS13 and MSGP15 of the Local Plan.

19

The scheme approved under condition 18 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 the NPPF and policies CS13 and MSGP15 of the Local Plan.

20

No dwelling hereby approved shall be occupied until final details of the cycle route signage and markings, including timescales for implementation, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure appropriate indication and protection of the cycle route, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

21

The details approved under condition 20 (inclusive of Traffic Regulation Order) shall be implemented in full accordance with the approved details and timescales and retained as such for the lifetime of the development.

Reason

To ensure appropriate indication and protection of the cycle route, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.

22

No dwelling hereby approved shall be occupied until a final detailed design for a traffic calming scheme and extended 20mph zone on Blackfell Way have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

23

The details approved under condition 22 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.

Reason

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

24

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

- Upgrading of tactile paving crossing points at the junction to Blackfell Way
- 2.4m x 43m visibility splay at Blackfell Way junction including details of any necessary vegetation removal/cutting back to achieve and retain the visibility splay for the lifetime of the development.
- Removal of the unused bellmouth access on Blackfell Way and reinstatement as a continuous footway and verge

Reason

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

25

The details approved under condition 24 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.

Reason

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

26

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

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

Reason

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

27

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

Reason

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

28

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

Reason

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

29

No dwelling hereby approved shall be occupied until a Travel Plan for future occupiers has been submitted to the Local Planning Authority for consideration. The Travel Plan shall include:

- An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.
- Appointment of a travel plan co-ordinator and identification of associated budget
- Clearly defined objectives, targets and indicators
- Details of proposed measures
- Detailed timetable for implementing measures
- Proposals for maintaining momentum and publicising success
- A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- Commitment to the use of the Council's preferred monitoring database (currently Jambusters)
- Two introductory travel tickets per dwelling equalling four weeks travel per ticket to be introduced to residents within their welcome packs

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

30

Within 24 months of the date of approval of condition 29, evidence of the implementation of the Travel Plan approved under condition 29 over a minimum period of 12 months, and any revisions, shall be submitted to the Local Planning Authority for consideration.

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

31

The Travel Plan and any revisions approved under conditions 29 and 30 shall be wholly implemented in accordance with the approved details for the lifetime of the development.

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with the NPPF and policies CS13, MSGP14 and MSGP15 of the Local Plan.

32

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

Reason

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

33

The development hereby approved shall be implemented in full accordance with the biodiversity method statement approved under

condition 32 at all times during works on site associated with the development and until final completion.

Reason

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

34

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until details of an offsite biodiversity net gain compensatory scheme, including the means of delivery, which delivers a measurable net gain for biodiversity, as demonstrated through application of the Defra Biodiversity Net Gain Metric 2.0, to be delivered on suitable land, and including timescales for delivery and measures for maintenance and monitoring protocols, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development achieves measurable biodiversity net gain in accordance with the NPPF and policy MSGP37 of the Local Plan.

35

The biodiversity offset scheme approved under condition 34 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

Reason

To ensure the development achieves measurable biodiversity net gain in accordance with the NPPF and policy MSGP37 of the Local Plan.

36

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until full details of the soft landscaping and areas of habitat creation listed in the onsite post enhancement section of the biodiversity net gain assessment/Defra metric 2.0, including timescales for implementation, have been submitted to and approved in writing by the local planning authority.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

37

The soft landscaping and habitat creation scheme approved under condition 36 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

38

No dwelling hereby approved shall be occupied until a detailed management plan, annual maintenance programme, monitoring protocol and arrangements to address any defects/issues adversely impacting the value and function of the soft landscaping and/or habitats provided on site have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

39

The details approved under condition 38 shall be implemented in full accordance with the approved details at all times for the life of the development or a period of no less than 30 years.

Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

40

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 the submitted tree protection scheme (as detailed in GRP_BirtleyIII_AIA1.2) is implemented under the supervision of the applicant's Arboricultural Consultant. The approved protection scheme must be implemented in full and in the case of the protective fencing must be retained intact for the full duration of the development 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.

The approved tree protection plan shall be displayed at all times outside the site office or in a location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of the daily checks being kept on file in the

site office. The record shall include the date, time and name of the person carrying out the checks together with any problems identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the Local Planning Authority being obtained, all construction operations shall cease until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.

Reason

In order to maintain the health and visual amenity of the tree(s) concerned in the interests of the visual amenity of the area and in accordance with the NPPF and policies CS18 and MSGP36 of the Local Plan

Reason for pre-commencement condition

To ensure appropriate tree protection is in place before works that would pose a risk to retained trees commence.

41

No development hereby approved shall commence until the mitigation strategy (Section 6.5.2 of the Outline Remediation Strategy Report, April 2020: FWS Consultants Ltd) to address land instability arising from coal mining legacy have been implemented on site in full.

Reason

To ensure that the site is made safe and stable for the development proposed, in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan.

Reason for pre-commencement condition

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

42

The development hereby approved shall not commence until a report of findings arising from further intrusive site investigations and a Phase II Detailed Risk Assessment (to assess potential contamination at the site) have been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.

Reason

To ensure that 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 CS14 and MSGP20 of the Local Plan.

Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation scheme suitable for the sensitive end use is identified and approved prior to commencement of the development, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, from the beginning of the works.

43

Where required, the remediation and monitoring measures approved under Condition 42 shall be implemented in accordance with the details and 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, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with CS14 and MSGP20 of the Local Plan.

44

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 a Risk Assessment and, if required, 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 CS14 and MSGP20 of the Local Plan.

45

The remediation and monitoring measures approved under condition 44 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 CS14 and MSGP20 of the Local Plan.

46

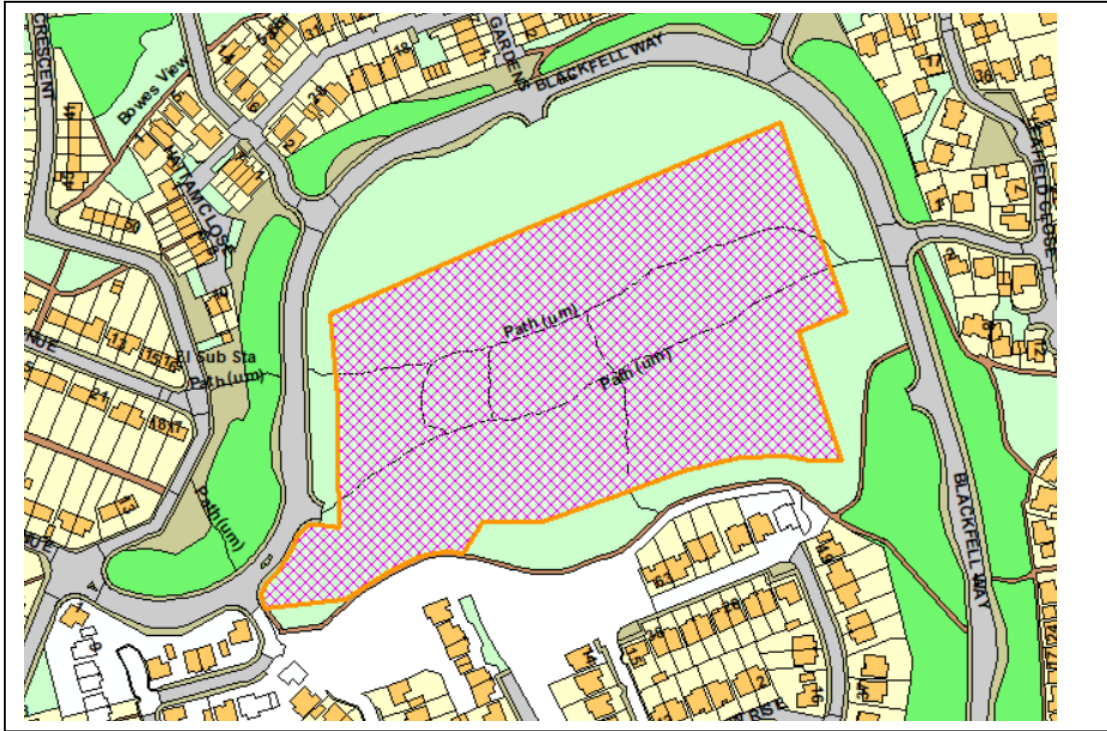
Where remediation is required (under conditions 41-45), following completion of the approved remediation and monitoring measures, no dwelling hereby approved shall occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Where this is carried out in phases, no dwellings within the relevant phase shall be occupied until a verification report that demonstrates the effectiveness of the remediation carried out for that phase has been submitted to and approved in writing by the Local Planning Authority.

The Verification report(s) shall also include cross sectional diagrams of the foundations and details of the approved gas protection measures, details of integrity testing of gas membranes and any test certificates produced.

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 CS14 and MSGP20 of the Local Plan.



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Committee Report

Application No:	DC/21/01003/FUL
Case Officer	Rebecca Norman
Date Application Valid	22 September 2021
Applicant	Mr David Schleider
Site:	Ateres Girls High School Willow Grove Felling Central Felling NE10 9PQ
Ward:	Felling
Proposal:	Erection of two-storey annexe creating 8 new classrooms and support spaces with ancillary teaching space within the roof space alongside associated external works.
Recommendation:	GRANT
Application Type	Full Application

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

The application relates to Ateres Girls High School, which is an independent secondary school for girls aged between 11 to 16 in Felling.

1.2 The school opened in 2011 and occupies the premises of a former primary school constructed in around 1930.

1.3 The school building is of split-level construction and comprises single and two storey elements primarily of traditional brick and slate construction with some later additions.

1.4 The site is located within a residential area and is bound by residential properties on all sides, with an area of public open space to the north east. The site itself is bordered by dense vegetation and trees, notably along the southern boundary. Access to the site is from the south, via Rowlandson Crescent. Land levels on the site fall to the north and the school building is set at a lower level than the properties to the south along Willow Grove and St Patricks Walk, separated by a public footpath.

1.5 There are currently 246 pupils attending the school and 75 members of staff. The supporting information details that all pupils are brought to the school by bus and there is a shuttle bus service between Bensham and Felling for staff.

1.6 The application indicates that over the next five years pupil numbers are expected to increase by approximately 30-40 (to around 286) however that staff numbers are not proposed to increase.

1.7 DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the erection of a two storey building with ancillary teaching areas within the roof space to the northern side of the school.

- 1.8 The proposed building would accommodate 8no. classrooms with associated office/staffrooms, lockers/cloakrooms, WCs and plant at ground and first floor levels. The building would also accommodate ancillary staff areas and informal teaching/student support space within the roof (second floor level).
- 1.9 The proposed building would have a contemporary design and would be constructed from red and dark grey brick with dark grey windows and slate effect rooftiles featuring dormer windows finished in dark grey single ply membrane that would serve the second floor ancillary space.
- 1.10 No changes are proposed to the existing pedestrian and vehicular access to the school. A new path is proposed to the western side of the proposed building and the application also includes details of cycle parking and the marking out of parking and turning areas.
- 1.11 The following documents have been submitted with the planning application:
 - Design and Access Statement
 - Transport Statement
 - Travel Plan
 - Phase I and Phase II Ground Investigation Reports

1.12 RELEVANT PLANNING HISTORY

1034/93 - Installation of eight roller shutters on north, south and west elevations of school. Planning permission granted 03.12.93.

1253/93 - Erection of 2.3m and 1.8m high palisade fence around boundaries of school site (amended 25/1/94). Planning permission granted 03.02.94.

DC/11/00939/FUL - Amended location of security fence along Willow Grove including installation of 2 x 5m high poles with dome CCTV camera to each and loud speaker for security alert purposes (amended 20/12/11). Planning permission granted 06.02.12.

DC/17/00405/FUL - Erection of two storey annexe to create eight additional classrooms, support spaces and associated external works. Planning permission granted 31.05.17. This permission was not implemented and has now expired.

DC/19/00988/FUL - Erection of roof extensions to existing school building to provide additional teaching accommodation (amended 16/10/19) (additional information 06/12/19 and 12/12/19). Planning permission granted 19.12.2019. This permission has not been implemented however remains extant and is therefore a material consideration in the assessment of this application.

2.0 Consultation Responses:

Sport England	No objection
The Coal Authority	No objection
Northumbrian Water	No response received

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015, in addition to the display of press and site notices.

3.2 One letter of objection has been received raising the following matters:

- Additional noise
- Disturbance early mornings/late evenings
- Increase in traffic
- Loss of privacy
- Speeding cars are an existing problem for the over 55s and OAPs in bungalows
- Loud noises and singing at 11pm at night
- The school is open and buses are travelling in/out of the site until 11pm

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP29 Flood Risk Management

MSGP39 Protecting Open Space/Sport/Recreation

MSGP42 Jewish/Minority Group Community Facility

5.0 Assessment of the Proposal:

- 5.1 The main issues to be taken into consideration in the assessment of this application are the principle of the development, impacts upon visual amenity, impacts upon residential amenity, highway safety and parking, ground conditions and CIL.
- 5.2 THE PRINCIPLE OF THE DEVELOPMENT
- 5.3 Loss of playing field
The proposed development would encroach into an area of grassed playing field to the north of the school building. Sport England have therefore been consulted on the application.
- 5.4 Sport England have considered the application in light of the NPPF and their own playing fields policy and have raised no objection on the basis that the proposed development only affects land that is incapable of forming part of a playing pitch and would not result in the inability to use/reduce the size of any playing pitch; it is understood that this view is taken as a result of the gradient of the land and significant changes in topography affecting this part of the site. In this respect Officers consider that the proposed development would not be in conflict with NPPF Paragraph 99 criteria a), which states that existing sports and recreational land (including playing fields) should not be built on unless it is shown that the land is surplus to requirements, as it has been demonstrated that the site does not constitute playing pitch and would not result in the loss of ability to use/reduce the size of playing pitch.
- 5.5 Policy MSGP39 of the Local Plan for Gateshead seeks to protect open space and sports and recreational facilities and states that development that would result in their loss will only be considered acceptable if the site can be demonstrated to be surplus to requirements (as at MSGP39.1 – MSGP39.5), or if the loss would be replaced elsewhere. This is supported by Local Plan policy CS18.
- 5.6 The area of land affected by the application forms part of the educational facilities which is not accessible to the wider public; Officers therefore consider that the area does not contribute towards meeting open space qualitative or quantitative standards set out in MSGP39 and policies relating to the protection of publicly accessible open space or facilities are not applicable to this application.
- 5.7 The criteria at MSGP39.2 state that sports facilities may be considered surplus if development of the site would be compatible with the Council's up-to-date Playing Pitch Strategy or Built Sports Facilities Strategy. The criteria at MSGP39.5 also states that recreational land may be considered surplus to

requirements if an assessment of the sites use clearly demonstrates that it is not needed to meet current or anticipated needs.

The site is not allocated as an outdoor sports facility and therefore Officers consider that the criteria at MSGP39.2 are not relevant in the determination of this application; furthermore, given the position adopted by Sport England that the site does not form part of a playing pitch as a result of its topography Officers consider that the site can be considered as surplus to requirements and therefore consider that the proposed development would not be in conflict with policies MSGP39 or CS18 as there would not be no loss of playing pitch facilities.

- 5.8 Based on the above assessment Officers consider that the loss of playing field that would result from the proposed development would be acceptable in principle and would not be in conflict with the aims and objectives of the NPPF and policies CS18 and MSGP39 of the Local Plan for Gateshead.
- 5.9 Provision of educational facility
Policy MSGP42 of the Local Plan for Gateshead provides support for the use of appropriate sites or premises in suitable and accessible locations for Jewish community needs, including the use of premises of teaching, subject to consideration of their impact on residential amenity and other local community needs. It is considered that the proposed developments accords, in principle, with policy MSGP42, subject to all other relevant material planning considerations being satisfied.
- 5.10 IMPACTS UPON VISUAL AMENITY
NPPF Paragraph 126 states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. NPPF Paragraph 130 requires development, amongst other things, to be visually attractive as a result of good architecture and layout, and be sympathetic to local character and history. This is supported by policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.11 The proposed development has been designed as a contemporary addition to the site which reflects and compliments the design and materiality of the existing 1930s school building and responds positively to its character and appearance whilst remaining a subservient addition to the main school hall element of the original school by utilising the topography of the site together with the proposed design.
- 5.12 The proposed materials (red and dark grey brick, slate effect roof tiles, dark grey windows and dark grey single ply membrane) are considered appropriate in the context of the original school building and contemporary design of the extension. It is however considered necessary to condition the submission of final details of the proposed materials for approval by the Local Planning Authority, in order to ensure that these relate appropriately to the existing

school building and the surrounding area, in the interests of good design (CONDITIONS 7 and 8).

- 5.13 Subject to the above conditions Officers consider that the proposed development is acceptable in terms of design and impact upon the visual amenity of the site and surrounding area and would comply with the aims and objectives of the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.14 **IMPACTS UPON RESIDENTIAL AMENITY**
The proposed development would be located to the northern side of the existing school building within the wider school site and would therefore be set a significant distance off all boundaries of the site.
- 5.15 The closest residential property to the north of the site (48 Bondene Avenue West) would be situated approximately 35m from the proposed development, with properties to the east and west located even further away from the proposed development, with those to the east separated by an area of public open space and playing field; the site boundaries are also formed of dense trees and vegetation which afford screening of the site. The properties to the south would be approximately 50m from the proposed development however would be shielded from this by the existing school building.
- 5.16 As such, in view of the distances involved, the presence of vegetation and the location of the proposed extension, and in the absence of any windows within the north elevation of the proposed extension and there being no habitable windows within the south elevation, Officers consider that the proposed development would not adversely impact upon the residential amenity of nearby residents in terms of a loss of privacy, overlooking, loss of outlook or overbearing impact, loss of light or overshadowing.
- 5.17 One letter of representation has been received which raises objections in respect of noise impacts and disturbance associated with the school. Within the context of the proposed scheme and given that the site is already a school which generates an established level of noise and activity, Officers consider that the proposed extension and additional pupil numbers proposed would not have a significantly greater impact upon neighbouring residents in terms of noise and distance than at present such as to warrant refusal of the application on these grounds.
- 5.18 The application refers to the submission of a Construction Management Plan however does not provide details or any working method statements required to ensure that the construction process will seek to minimise short term impacts upon the amenity of nearby residents. Given the proximity of the site to neighbouring properties conditions are therefore recommended to be imposed to require such details (CONDITIONS 3 and 4).
- 5.19 Subject to the conditions above the proposal would not have an adverse impact upon the amenity of residents and would therefore accord with the aims and

objectives of the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.20 HIGHWAY SAFETY AND PARKING

The school currently has a contract with Go North East to provide return bus services by which the application states all students travel to the school. This arrangement is likely to have little traffic impact upon the public highway during drop-off and pick-up times, certainly when compared to other schools of this size where private car drop-offs/collection typically form a significant percentage of the trips generated. A shuttle bus service also operates between Bensham and Felling for all school staff, with a very small number of staff travelling by private vehicle.

5.21 The proposed annexe would accommodate 8no. classrooms and associated staff and pupil facilities alongside space at second floor level containing staff areas and informal teaching/student support space. The supporting information indicates that the use of the classrooms would generally align with those previously approved (under application DC/17/00405/FUL), which were able to accommodate specialist art/ICT or Science Lab teaching.

5.22 The application states a suggested rise in pupil numbers of around 30-40, which is a modest increase on the current number of 246 pupils enrolled at the school. The application also states that there would be no rise in staff numbers. It is considered that the indicated rise in pupil numbers would have little impact upon the existing traffic situation.

5.23 In considering the proposed scheme regard must also be given to extant permission DC/19/00988/FUL which was granted 19 December 2019 for the erection of roof extensions to existing school building to provide additional teaching accommodation and therefore represents a material consideration in the assessment of this application.

5.24 The application states a small increase in pupil numbers of around 30-40 (therefore to a maximum of approximately 286, from 246 at present) and that permission DC/19/00988/FUL will not be carried out. Consideration must however be had for the eventuality that both the proposed extension and DC/19/00988/FUL are implemented simultaneously giving an increase of 16 new classrooms and ancillary areas, which would present capacity for a significantly greater increase in pupil numbers than 30-40, thereby potentially having a greater impact upon the highway network in terms of vehicular movements. Due consideration must also be given to the eventuality that the school as extended may operate differently as another school in respect of travel modes to school with increased private car movements. As such, Officers recommend that it would be reasonable to impose conditions requiring that, should the number of pupils enrolled at the school exceed 300, a revised Transport Statement should be submitted which details how the additional rise in capacity is to be addressed in terms of sustainable transport proposals or an uplift in bus services and the subsequent implementation of such measures (CONDITIONS 9 and 10).

- 5.25 The application is supported by a Travel Plan Statement which includes measures for the promotion of sustainable modes of transport and a reduction in private car usage. The submitted Travel Plan is considered to be acceptable and it is therefore recommended that a condition be imposed requiring its implementation, to incorporate a review period and the implementation of any changes subsequently made following this review (CONDITION 11).
- 5.26 The buses that service the school are in principle able to enter the site in a forward gear, turn, and exit in a forward gear, as shown on plans submitted to support the application. In order to maintain the ability to turn within the car parks on the site, taking into account the current absence of formal parking arrangements within the site for staff vehicular parking, it is considered appropriate that the car parking be formally marked out with 2.5m x 5m parking bays along with a turning area for buses. An acceptable layout has been shown on the submitted plans and therefore it is recommended that a condition be imposed requiring that the car park be marked out accordingly (CONDITION 12).
- 5.27 It is understood that there is currently no cycle storage provision on the site. The application provides details of cycle storage proposed to be installed on the site; this is considered to be acceptable and would therefore be secured by condition (CONDITION 13).
- 5.28 Subject to the inclusion of the above conditions it is considered that the proposal is acceptable in highway safety terms, in accordance with the NPPF and policies MSGP15 and CS13 of the Local Plan for Gateshead.
- 5.29 GROUND CONDITIONS
- 5.30 Land contamination
The application site has been assessed and inspected as part of the Council's Contaminated Land Strategy and is not situated on potentially contaminated land based on previous usage, having been occupied by agricultural land and subsequently playing fields.
- 5.31 The application is supported by Phase I and Phase II Ground Investigation Reports including details of Gas Monitoring undertaken at the site. The conclusions of the reports are considered to be acceptable and Officers consider that no site remediation is required in respect of the proposed development. Conditions are however recommended to be imposed which would apply in the event that previously undiscovered contamination is found during the proposed works (CONDITIONS 15-17)
- 5.32 Subject to the imposition of the above conditions the development would comply with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.
- 5.33 Coal mining legacy
The proposed building is located on part of the site which is located within a Coal Authority Development High Risk Area; as such there are coal mining

features and hazards which need to be considered in relation to the determination of the application.

- 5.34 The Coal Authority has been consulted and has reviewed the Phase I and Phase II Investigation Reports submitted to accompany the application which indicate that no coal seams were encountered nor were any voids or broken ground recorded during investigative works undertaken at the site. The Coal Authority is therefore satisfied with the findings of the submitted Phase II Report and considers these to be sufficient to meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the proposed development; as such, no objections are raised.
- 5.35 It is therefore considered that the proposed development would comply with the NPPF and Local Plan policies CS14 and MSGP20.
- 5.36 **FLOOD RISK AND DRAINAGE**
The application site is situated within Flood Zone 1 and has a site area of less than 1 hectare, therefore there is no requirement for a Flood Risk Assessment to be submitted in this instance.
- 5.37 The proposed development would result in the introduction of a building onto what is currently a grassed area and represents major development as the proposed floor area exceeds 1000sqm; as such, there is a requirement for details of drainage measures for the proposed development to be submitted in line with NPPF Paragraph 169, which states that *“major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate”*.
- 5.38 No drainage information has been submitted to accompany the application and the submitted form states that surface water would be disposed of via mains sewer. It is therefore recommended that conditions be imposed requiring the submission of a sustainable drainage scheme for the proposed development (CONDITIONS 5 and 6). Subject to the imposition of the above conditions the proposal is considered to accord with the NPPF and Local Plan policies CS17 and MSGP29.
- 5.39 **COMMUNITY INFRASTRUCTURE LEVY (CIL)**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development.

6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account including the representation received it is recommended that planning permission be granted subject to conditions as the proposed development is considered to be acceptable in principle and would comply with the aims and objectives of the NPPF and the relevant policies of the Local Plan for Gateshead.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary:

1

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

Location Plan (Drawing No. 19011/L01)
Ground Floor, New Teaching Block (Drawing No. 19011 P01)
First Floor, New Teaching Block (Drawing No. 19011 P02)
Upper Floor, New Teaching Block (Drawing No. 19011 P03)
Section A.A (Drawing No. 19011 P10)
Site Sections (Drawing No. 19011 P20)
Roof Plan (Drawing No. 19011 P30)
Proposed Elevations (Drawing No. 19011 P50)
Site Plan (Drawing No. 19011 P100)

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

Reason

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

2

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

Reason

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

3

Prior to the commencement of the development hereby approved, a construction management plan including the hours of operation, location and layout of any compound area(s), a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

Reason for pre-commencement

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

4

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

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

5

Prior to the commencement of the development hereby permitted a detailed drainage strategy for the disposal of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority.

The drainage strategy shall follow the hierarchy of surface water drainage options in National Planning Practice Guidance and be designed in accordance with the SuDS Manual (CIRIA C753) and the North East Lead Local Flood Authorities Local Standards and shall include a management and maintenance plan for the drainage system where necessary.

Reason

To ensure there is adequate infrastructure to prevent the increased risk of flooding from any sources in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

Reason for pre-commencement

To ensure that it has been demonstrated that the drainage scheme will prevent the increased risk of flooding prior to construction of the development and to ensure that the site layout can accommodate the proposed drainage measures prior to the commencement of the construction of the development.

6

The drainage strategy approved under condition 5 shall be implemented prior to first use of the development hereby approved and shall be retained/maintained in accordance with the approved details for the lifetime of the development.

Reason

To ensure there is adequate infrastructure to prevent the increased risk of flooding from any sources in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

7

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

until samples of the materials to be used have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities 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 and policies CS15, MSGP17 and MSGP25 of the Local Plan for Gateshead.

8

The development shall be completed using the materials approved under condition 7.

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 and policies CS15, MSGP17 and MSGP25 of the Local Plan for Gateshead.

9

Should the number of pupils enrolled at the school exceed 300, an updated Transport Statement shall be submitted to and approved in writing by the Local Planning Authority.

The Transport Statement shall include proposals for sustainable travel which take into account the increased pupil numbers and measures to encourage sustainable travel.

A list of the number of pupils in attendance at the school shall be kept and shall be made available for inspection by the Local Planning Authority on request.

Reason

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

10

The measures approved under condition 9 shall be implemented in full prior to any increase in the number of pupils enrolled at the school which exceeds 300.

Reason

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

11

The 'Travel Plan Statement – Ateres Girls High School V2 dated 25 November 2021' hereby approved shall be implemented in full upon occupation of the development hereby approved.

Evidence of the implementation of the submitted 'Travel Plan Statement – Ateres Girls High School V2 dated 25 November 2021' over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

In order to promote sustainable travel in accordance with the NPPF and policies MSGP14 and CS13 of the Local Plan for Gateshead.

12

Prior to first occupation of the development hereby approved the car parking and bus turning areas shown on the plan at Appendix 2 'Development Proposals' to the 'Transport Statement – Ateres Girls High School V2 dated 25 November 2021' shall be marked out in complete accordance with the layout shown on the approved plan and shall be maintained as such for the lifetime of the development.

Reason

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

13

The cycle parking provision shown on 'Site Plan (Drawing No. 19011 P100)' shall be implemented in full prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development.

For the avoidance of doubt the approved cycle parking provision comprises a 'Cambridge' cycle shelter by Broxap to accommodate 24no. cycles including 12no. Sheffield hoops, or a direct equivalent of the same size.

Reason

To ensure adequate provision for cyclists in accordance with the NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead and the Council's Cycling Strategy.

14

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 a Risk Assessment and, if required, remediation and monitoring measures have been and submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure the land is suitable for its sensitive end use and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

15

The remediation and monitoring measures approved under condition 14 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) being undertaken and maintained for the life of the development.

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

Reason

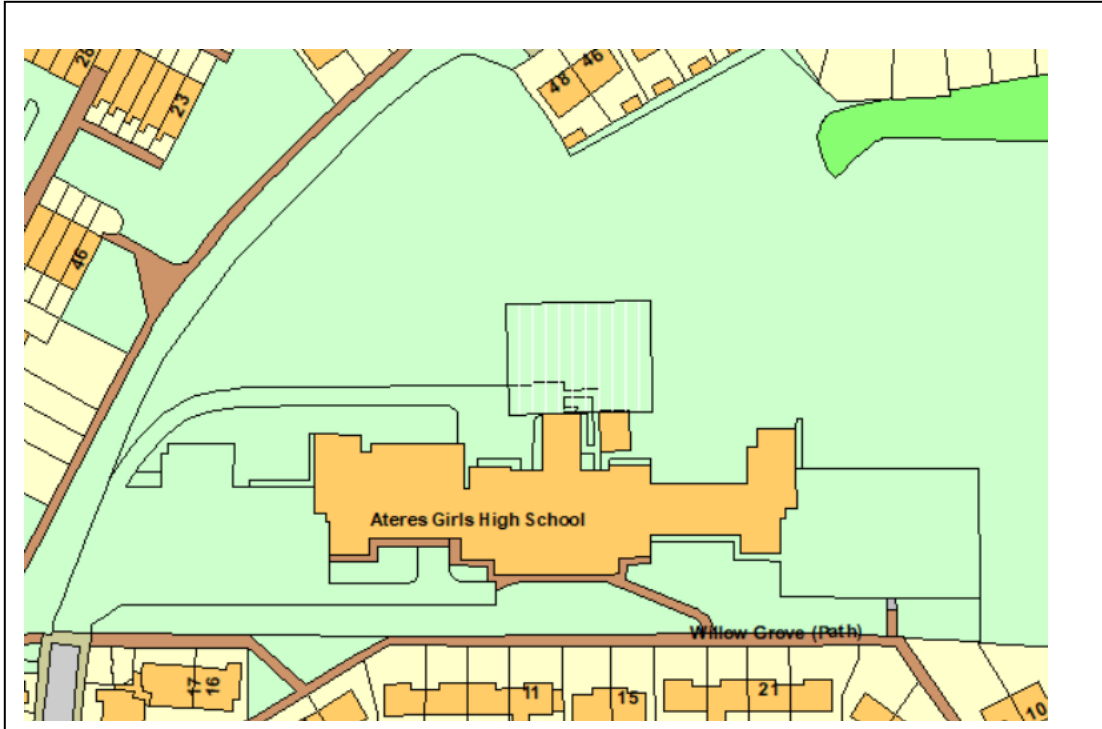
In order to ensure the land is suitable for its sensitive end use and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

16

Where remediation is required, following completion of the remediation and monitoring measures approved under condition 14, the development hereby approved shall not be first 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

In order to ensure the land is suitable for its sensitive end use and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.



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TITLE OF REPORT: Enforcement Team Activity

REPORT OF: Anneliese Hutchinson, Service Director, Development, Transport and Public Protection

Purpose of the Report

1. To advise the Committee of the activity of the Enforcement Team since the last Committee meeting.

Background

2. The Enforcement team deal with proactive and reactive investigations in relation to Planning, Highway and Waste related matters.

Recommendations

3. It is recommended that the Committee note the report.

Within the date range commencing 17.11.21 and ending 08.12.21 the enforcement team has received **37** new service requests.

Type of complaint	New complaints received	Cases allocated to officer	Cases resolved	Pending prosecutions
PLANNING	26	22	94	0
HIGHWAYS	8	5	36	0
WASTE	3	1	1	46
TOTALS	37	28	131	46

COURT HEARINGS

The Enforcement Team attended no Court Hearings

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**REPORT TO PLANNING AND
DEVELOPMENT COMMITTEE
22nd December 2021**

TITLE OF REPORT: Enforcement Action

**REPORT OF: Anneliese Hutchinson, Service Director,
Development, Transport and Public Protection**

Purpose of the Report

1. To advise the Committee of the progress of enforcement action previously authorised by the Committee.

Background

2. The properties, which are the subject of enforcement action and their current status, are set out in Appendix 2.

Recommendations

3. It is recommended that the Committee note the report.

1. FINANCIAL IMPLICATIONS

Nil.

2. RISK MANAGEMENT IMPLICATIONS

Nil.

3. HUMAN RESOURCES IMPLICATIONS

Nil.

4. EQUALITY AND DIVERSITY IMPLICATIONS

Nil

5. CRIME AND DISORDER IMPLICATIONS

Nil.

6. SUSTAINABILITY IMPLICATIONS

Nil.

7. HUMAN RIGHTS IMPLICATIONS

The Human Rights Act states a person is entitled to the peaceful enjoyment of his possessions. However this does not impair the right of the state to enforce such laws, as it deems necessary to control the use of property and land in accordance with the general interest.

8. WARD IMPLICATIONS

Birtley, Bridges, Blaydon, Pelaw & Heworth, Chowdene, Crawcrook & Greenside, Ryton, Crookhill and Stella, Chopwell and Rowlands Gill, Wardley & Leam Lane, Windy Nook And Whitehills, Winlaton and High Spen, Whickham North, Whickham South and Sunnyside, Lobley Hill and Bensham. Lamesley, Dunston Hill and Whickham East and Low Fell.

9. BACKGROUND INFORMATION

Nil.

APPENDIX 2

Item Number	Site	Ward	Alleged Breach of Planning Control	Date Approval given for Enforcement Action	Date Served	Date Notice comes into Force	End of Compliance Period	Current Status
1.	Land adjacent Ricklees Farm, Spen Lane, High Spen, Gateshead	Winlaton and High Spen	Change of use from agricultural to mixed use for keeping of horses, breaking, dismantling of vehicles, storage and burning of waste and the storage of caravans and vehicle bodies.	25 March 2013	25 March 2013	29 April 2013	29 June 2013	Complaints have been received over a considerable period regarding the inappropriate use of an area of green belt adjacent to B6315 During investigation it was established that the land was being used for a range of inappropriate uses. Despite attempts to negotiate with the landowner to reach a satisfactory conclusion no sustained improvement was secured. Therefore, an enforcement notice has been issued requiring the removal of the inappropriate material from the site together with the cessation of the unauthorised use. No appeal has been received and the notice has taken effect.
2.	Land adjacent Ricklees Farm, Spen Lane, High Spen, Gateshead	Winlaton and High Spen	Erection of a breeze block building	25 March 2013	25 March 2013	29 April 2013	29 June 2013	Complaints have been received over a considerable period regarding the inappropriate use of an area of green belt adjacent to B6315 During investigations, it was established that a building had been erected without consent. The building is considered to be unacceptable and therefore the council have issued an enforcement notice requiring the removal of the unauthorised building No appeal has been received and the notice has taken effect. The new owner of the site has been contacted and works are well underway to tidy the site with the demolition of the breeze block structure taking place in the near future A site visit has been arranged for the week commencing the 29 th October to look at the costs of carrying out work in default.
3.	Land at Woodhouse Lane, Swalwell (Known as South West Farm Site One) Known as South West Farm Site Two)	Swalwell Swalwell	Without planning permission the change of use of the land from agriculture to a mixed use for agriculture, storage of vehicles, agricultural equipment and scrap metal and vehicle dismantling and repair Without planning permission the change of use of the land from agriculture and reception, composting and transfer of green waste to a mixed	11 January 2016 11 January 2016	12 January 2016 12 January 2016	15 February 2016 15 February 2016	14 March and 4 July 2016 14 March and 4 July 2016	Notices were issued in September 2015 in respect of an unauthorised scrap being stored. Due to the scale of the breach of planning control an additional Notice was required in relation to the potential Environmental Impact of the Development. As such the original Notices (which were all being appealed) were withdrawn and further Notices have now been issued including those in respect of the requirement to carry out an Environmental Impact Assessment and provide an Environmental Statement with an subsequent appeals. The Notices requires firstly, the cessation of the unauthorised use and secondly, the removal from the land of the scrap. Both defendants pleaded guilty at New castle Crown Court and both received a fine of £750. Each defendant was ordered to pay costs of £422.50 and a victim surcharge of £75. The site has to be cleared in 6 months. The site has recently been revisited and it is likely further action will be required.

Item Number	Site	Ward	Alleged Breach of Planning Control	Date Approval given for Enforcement Action	Date Served	Date Notice comes into Force	End of Compliance Period	Current Status
	(Known as South West Farm Site Three)	Swalwell	<p>use for agriculture and the storage of vehicles, agricultural equipment and parts, repair and restoration of vehicles and machinery and the reception, composting and transfer of green waste.</p> <p>Without planning permission the change of use of the land from agriculture to a mixed use for agriculture and the storage of vehicles, agricultural equipment and scrap metal and vehicle dismantling and repair</p>	11 January 2016	12 January 2016	15 February 2016	<p>14 March and 4 July 2016</p> <p>29th Sep 2018</p>	<p>A site visit was undertaken in October where it was evident that the land has not been cleared and additional scrap had been brought on to the site. A further prosecution file is currently with the Council's legal department.</p> <p>A court date has been issued for the 26th April 2019 at Gateshead Magistrates Court.</p> <p>The court date has been re issued for the 10th June 2019. In the interim officers are actively pursuing quotes to clear the land, to ascertain whether this is financially viable.</p> <p>The Court date has been adjourned until 24th June at 10am, discussions are to take place with the land owner prior to the court date to progress with the clearance of the land.</p> <p>A site visit was undertaken on the 29th June, two of the areas of land have been significantly cleared, efforts are being made by the owners to clear the third piece of land prior to the court date.</p> <p>The trial date has been arranged for the 24th September 2019</p> <p>On the 20th January Mr J Tate and Mr M Tate pleaded guilty to failing to comply with the enforcement notices. The Magistrates fined both Tate's £500.00 each with cost of £300.00 each and a victim surcharge of £50.00 each. A total of £850.00 each.</p>
4.	Blaydon Quarry , Lead Road, Gateshead	Craw crook and Greenside	Breach of Planning Conditions	27 th March 2018	28 th March 2018	28 th March 2018	28 th April 2018	<p>Complaints have been received that the site has been open outside the approved hours, following further investigation this has been confirmed, therefore a notice has been served in relation to breach of condition 51 to ensure no HGV'S enter or leave the site before 06.30 or after 18.00 hours on Monday to Friday nor after 13.00 hours on Saturdays and no times on Sunday and Bank and Public holidays.</p> <p>A site visit was undertaken on the 20th June in conjunction with the Environment Agency, to monitor the hours of operation. At the time of the visit no tipping was taking place, however activity on site will continue to be monitored.</p>
5.	Blaydon Quarry Lead Road, Gateshead	Craw crook and Greenside	Breach of Planning Conditions	22 nd May 2019	24 th May 2019	28 th June 2019	28 th December 2019	<p>Blaydon Quarry is in breach of several planning conditions. A Notice has been served in relation to condition 23 to require installation of a drainage system. The Council has designed an acceptable scheme to be installed in the interests of surface water drainage and to enable the safe and successful restoration of the site.</p> <p>A site visit was undertaken on the 4th June, where drainage works had commenced. Officers are working closely with the Operator of the quarry to ensure compliance.</p> <p>A discharge of condition application has been submitted in relation to condition 23 for the Council to assess.</p>

Item Number	Site	Ward	Alleged Breach of Planning Control	Date Approval given for Enforcement Action	Date Served	Date Notice comes into Force	End of Compliance Period	Current Status
								An appeal has been submitted in relation to the enforcement notice.
6.	Blaydon Quarry Lead Road, Gateshead	Craw crook and Greenside	Breach of Planning Conditions	22 nd May 2019	24 th May 2019	28 th June 2019	28 th October 2019	<p>Blaydon Quarry is in breach of several planning conditions. A Notice has been served in relation to condition 24 to require installation of the previously approved drainage system on the southern boundary, in the interests of surface water drainage and to enable the safe and successful restoration of the site.</p> <p>A discharge of condition application has been submitted in relation to condition 24 for the Council to assess.</p> <p>An appeal has been submitted in relation to the enforcement notice.</p> <p>Wardell Armstrong on behalf of the Operator has withdrawn the Enforcement Appeal.</p>
7.	81 Dunston Road, Gateshead NE11 9EH	Dunston and Teams	Untidy Land	25 th July 2019	25 th July 2019	22 nd August 2019	03 rd October 2019	<p>Complaints have been received regarding the condition of the property which is considered to have a detrimental impact on the visual amenity of the area. A Notice has been issued pursuant to section 215 of the Town and Country Planning Act requiring the hedge be cut, all boarding removed from windows and the windows and frames made good. It also required that all the guttering and down pipes be re attached to the building.</p> <p>Estimates have been received for the council to do the works in default if the Notice is not complied with by the 1st May.</p> <p>Given the current Covid19 situation, the works in default have been delayed and an extension given to the homeowner.</p>
8.	High Spen Excelsior Social Club Ramsay Street Rowlands Gill NE39 2EL	Winlaton and High Spen	Untidy Land	10 th February 2020	10 th February 2020	13 th March 2020	13 th April 2020	<p>Complaints have been received regarding the condition of the building and land. A Notice has been issued pursuant to section 215 of the Town and Country Planning Act requiring the building to be demolished and all rubbish and debris removed from the site.</p> <p>The notice has been withdrawn. Officers are currently working with the owners to compile a schedule of repairs and dates for completion.</p> <p>A revised notice was re-served, on the 4th August. The notice was not appealed. The site owners have until the 1st November to demolish the building and clear the land.</p>
9.	Dynamix Albany Road Gateshead	Bridges	Unauthorised change of use	13 th October 2020	13 th October 2020	17 th November 2020	18 th May 2021	Complaints have been received regarding the change of use from a vacant warehouse to a mixed use comprising skate park, residential planning unit and storage of building and scrap materials therefore, an Enforcement Notice has been issued requiring the unauthorised use of the land to cease and all materials and vehicles be removed from the land

Item Number	Site	Ward	Alleged Breach of Planning Control	Date Approval given for Enforcement Action	Date Served	Date Notice comes into Force	End of Compliance Period	Current Status
								The occupier of the site has appealed the notice to the planning inspectorate The Appeal has been determined and the Notice has been upheld.
10.	Former Co-op Kibblesworth, Gateshead NE11 0XL (Land at the north side of Front Street, Kibblesworth)	Lamesley	Untidy Land	3 rd February 2021	3 rd February 2021	8 th March 2021	31 st May 2021	Complaints have been received regarding the condition of the land. A Notice has been issued pursuant to section 215 of the Town and Country Planning Act requiring the demolition of the building and all waste removed from the land. The land is then to be levelled and graded. The owner of the site has instructed a planning agent to deal with the notice on their behalf. The notice has been withdrawn, officers are currently working with the owners and agent towards a mutual outcome.
11.	Dynamix Albany Road Gateshead	Bridges	Untidy Land	27 th August 2021	27 th August 2021	27 th September 2021	27 th December 2021	Complaints have been received regarding the condition of the land. A Notice has been issued pursuant to section 215 of the Town and Country Planning Act requiring all waste be removed from the land, the mounds of rubble be removed to ground level and all the graffiti cleaned from the building.
12.	148 Sheriffs Highway, Gateshead, Tyne and Wear, NE9 5SD	Low fell	Untidy Land	17 th November 2021	17 th November 2021	16 th December 2021	27 th January 2021	Complaints have been received regarding the condition of the land. A Notice has been issued pursuant to section 215 of the Town and Country Planning Act requiring 17 vehicles and all waste be removed from the land, and the site cleared.



**REPORT TO PLANNING AND
DEVELOPMENT COMMITTEE
15 December 2021**

TITLE OF REPORT: Planning Appeals

REPORT OF: Anneliese Hutchinson, Service Director, Development,
Transport and Public Protection

Purpose of the Report

1. To advise the Committee of new appeals received and to report the decisions of the Secretary of State received during the report period.

New Appeals

2. There has been **one** new appeal lodged since the last committee:

DC/21/00992/HHA - 227 Prince Consort Road, Gateshead
Resubmission of DC/21/00521/HHA for a first floor rear extension
This was a delegated decision refused on 17 September 2021

Appeal Decisions

3. There have been **no** new appeal decisions received since the last Committee.

Appeal Costs

4. There have been **no** appeal cost decisions.

Outstanding Appeals

5. Details of outstanding appeals can be found in **Appendix 2**.

Recommendation

6. It is recommended that the Committee note the report

Contact: Emma Lucas Ext: 3747

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

HUMAN RESOURCES IMPLICATIONS

Nil

EQUALITY AND DIVERSITY IMPLICATIONS

Nil

CRIME AND DISORDER IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

HUMAN RIGHTS IMPLICATIONS

The subject matter of the report touches upon two human rights issues:

The right of an individual to a fair trial; and
The right to peaceful enjoyment of property

As far as the first issue is concerned the planning appeal regime is outside of the Council's control being administered by the First Secretary of State. The Committee will have addressed the second issue as part of the development control process.

WARD IMPLICATIONS

Various wards have decisions affecting them in Appendix 3.

BACKGROUND INFORMATION

Start letters and decision letters from the Planning Inspectorate

APPENDIX 2

OUTSTANDING APPEALS

Planning Application No	Appeal Site (Ward)	Subject	Appeal Type	Appeal Status
DC/20/00093/COU	Blaydon Butchers 15 Clavering Road Blaydon NE21 5HH	Change of use from cafe (Use Class A3) to a mixed use of cafe and hot food takeaway (mixed uses A3/A5)	Written	Appeal in Progress
DC/21/00019/HHA	Hayfield House 4 Whaggs Lane Whickham	Proposed ground floor extension to existing garage, new first floor extension above with associated roof works and construction of outbuildings, associated drainage and external works. Amended plans received 16/04/21.	Written	Appeal in progress
DC/21/00460/HHA	3 Home Avenue Low Fell Gateshead	Proposed two storey extension to side elevation, porch to front elevation and construction of detached garage/store within side garden.	Written	Appeal in progress
DC/21/00525/CPL	Hillcrest Stannerford Road Ryton	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OR DEVELOPMENT: Erection of two single-storey buildings within curtilage of existing dwelling to be used as games room and garden store.	Written	Appeal in progress
DC/21/00702/HHA	Maxton Church Drive Sheriff Hill Gateshead NE9 5RB	Conversion of loft space to form habitable room, with addition front and rear velux windows and a cottage dormer	Written	Appeal in progress
DC/21/00732/FUL	Lands At & To The Rear: 21 & 23 Monkridge Gardens With Disused Pavilion & Hardstanding	Proposed deletion of Conditions 5 and 6 (to remove footpath provision); and proposed variation of Condition 1 (approved plan suite); and Conditions 3 & 4 (materials); and Condition 9 (cycle storage); and	Written	Appeal in progress

	Off Monkridge Gardens Dunston Hill Gateshead	Conditions 16 & 17 (bird & bat boxes) of extant application GMBC Ref: DC/20/01183/FUL approved: 9 April 2021 for "full planning permission for the erection of 9 dwellinghouses with front and back gardens and driveway parking; new shared-surface, vehicular and pedestrian access between Numbers 21 & 23 (both retained), visitor parking area and landscaped areas (as amended 08/03/21)." (Amended 25/08/21).		
DC/21/00992/HHA	227 Prince Consort Road Gateshead	Submission of DC/21/00521/HHA for a first floor rear extension	Written	Appeal in Progress



REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

15 December 2021

TITLE OF REPORT: Planning Obligations

REPORT OF: Anneliese Hutchinson, Service Director, Development, Transport and Public Protection

Purpose of the Report

1. To advise the Committee of the completion of Planning Obligations which have previously been authorised.

Background

2. To comply with the report of the District Auditor "Probity in Planning" it was agreed that a progress report should be put before the Committee to enable the provision of planning obligations to be monitored more closely.
3. Since the last Committee there have been **no** new planning obligations.
4. Since the last Committee there have been **no** new payments received in respect of planning obligations.
5. Details of all the planning obligations with outstanding covenants on behalf of developers and those currently being monitored, can be found at Appendix 2 on the Planning Obligations report on the online papers for Planning and Development Committee for 15 December 2021.

Recommendations

6. It is recommended that the Committee note the report.

Contact: Emma Lucas Ext: 3747

1. FINANCIAL IMPLICATIONS

Some Section 106 Agreements require a financial payment when a certain trigger is reached and there is a duty on the Council to utilise the financial payments for the purposes stated and within the timescale stated in the agreement.

2. RISK MANAGEMENT IMPLICATIONS

Nil

3. HUMAN RESOURCES IMPLICATIONS

Nil

4. EQUALITY AND DIVERSITY IMPLICATIONS

Nil

5. CRIME AND DISORDER IMPLICATIONS

Nil

6. SUSTAINABILITY IMPLICATIONS

Nil

7. HUMAN RIGHTS IMPLICATIONS

Nil

8. WARD IMPLICATIONS

Monitoring: Various wards

9. BACKGROUND INFORMATION

The completed Planning Obligations