

PLANNING AND DEVELOPMENT COMMITTEE AGENDA

Wednesday, 22 March 2023 at 10.00 am in the Bridges Room - 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 22 February 2023 (copy previously circulated).
3	Declarations of Interest Members to declare interests in any agenda items
4	Planning Applications (Pages 3 - 4) Report of the Service Director, Climate Change, Compliance, Planning & Transport
4i	No 1 - 46 Causeway, Carr Hill (Pages 5 - 20)
4ii	No 2 - Former Miners Welfare Hall, Crawcrook Lane (Pages 21 - 48)
4iii	No 3 - Hookergate School, Spen Lane (Pages 49 - 82)
4iv	No 4 - Land Bounded by Hawks Road to the North and Quarryfield Road to the West, Gateshead Quays (Pages 83 - 132)
5	Delegated Decisions (Pages 133 - 142) Report of the Service Director, Climate Change, Compliance, Planning & Transport
6	Enforcement Team Activity (Pages 143 - 144) Report of the Service Director, Climate Change, Compliance, Planning & Transport
7	Enforcement Action (Pages 145 - 150) Report of the Service Director, Climate Change, Compliance, Planning & Transport

8 | **Planning Appeals** (Pages 151 - 154)

Report of the Service Director, Climate Change, Compliance, Planning & Transport

9 | **Planning Obligations** (Pages 155 - 156)

Report of the Service Director, Climate Change, Compliance, Planning & Transport



PLANNING AND DEVELOPMENT
COMMITTEE
22 March 2023

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.

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Committee Report

Application No:	DC/21/00783/FUL
Case Officer	Amy Dunbar
Date Application Valid	17 June 2021
Applicant	Mr George Jenkins
Site:	46 Causeway Carr Hill Gateshead NE9 6QY
Ward:	High Fell
Proposal:	Change of use from public house to 9no. self-contained flats with addition of two storey side extension, dormer windows to north, east and west elevations and alterations to fenestration (amended plans received 29.09.2021, parking survey received 14.12.2021, bat survey received 28.07.2022, bat roost assessment received 06.09.2022, amended plans and CMRA received 17.11.2022 and 13.01.2023 amended red line plan and ownership certificate received 09.02.2023 and 10.02.2023, amended site plan received 13.03.2023).
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF SITE

The application site is a detached building that formerly operated as a public house (Sui Generis), the premises is currently vacant and falling into a derelict state.

1.2 The property is located within a residential setting with the east and west boundaries being shared with adjacent dwellings. The front (north facing) elevation faces onto a road (Causeway) and the rear elevation backs onto a large area of public open space.

1.3 DESCRIPTION OF APPLICATION

The application seeks to change the use of the public house to 9no. 1-bedroom flats (use class C3).

1.4 The application also proposes extensions and alterations consisting of:

- 3no. dormer windows and rearrangement of fenestration on the front elevation
- Insertion of 6no. windows on the rear elevation including lowering of external ground level to accommodate ground floor windows
- 1no. dormer window and rearrangement of fenestration on the east elevation

- Two storey side extension with 3no. dormer windows and insertion of windows on the west elevation

1.5 RELEVANT PLANNING HISTORY

DC/03/00235/COU Planning permission granted for change of use from public house (use class A3) to dwellinghouse (use class C3). Dated 28th March 2003.

2.0 Consultation Responses:

Northumbria Police	No objections
Tyne and Wear Fire and Rescue	No objections
The Coal Authority	No objections subject to conditions

3.0 Representations:

3.1 Neighbour notifications were issued to 47 properties on 30th July 2021, 18th November 2022 and 17th February 2023 in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 In total, over the three rounds of neighbour notifications, 8 letters of objection have been received from 7 different households which are summarised below:

- inadequate car parking
- increased traffic
- highway safety
- development would attract temporary residents
- development would attract potential vandalism
- noise disturbance
- disturbance during early mornings/ late evenings
- loss of natural light
- loss of privacy
- loss of trees
- out of character with Conservation Area
- potential harm to wildlife
- overbearing
- overdevelopment

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS9 Existing Communities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

MSGP8 Digital Infrastructure

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP36 Woodland, trees and hedgerows

MSGP37 Biodiversity and geodiversity

MSGP48 Waste management facilities in new development

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when considering this planning application are the principle of the development and potential impacts on visual amenity, residential amenity, highway safety, ecology and land conditions.
- 5.2 **PRINCIPLE OF DEVELOPMENT- HOUSING DEMAND AND POLICY**
The application site is not allocated for housing and is therefore classed as a windfall site. The site is located within an established residential settlement which is situated close to amenities with the Sheriffs Highway Local Shopping Centre being less than 300 metres away from the site. The site is, in principle, an appropriate location for new residential development.
- 5.3 The latest results of the Housing Delivery Test show that only 63% of Gateshead's Local Housing Need is being delivered in the Borough. As a result and as part of this planning assessment, weight has been given to the requirements of paragraph 11 of the NPPF which requires the decision-making process to apply a presumption in favour of sustainable development and where a local authority cannot demonstrate a five year supply of deliverable housing or where the Housing Delivery Test indicates that the

delivery of housing was substantially below (less than 75% of) the housing requirement over the last three years, planning permission should be granted unless any adverse impacts of doing so would substantially and demonstrably outweigh the benefits.

5.4 In terms of the principle of the development, the proposal would afford nine dwellings to the local housing stock and would therefore contribute towards delivering new housing within Gateshead therefore the proposal complies with policy CS10 of the Local Plan for Gateshead.

5.5 HOUSING CHOICE

The proposed floor plans show that the development has not been designed to attract families as none of the dwellings would provide 3 or more bedrooms. As such, the development would not contribute towards Gateshead Council's target of ensuring that 60% of new private housing is suitable and attractive to families, as required by policy CS11.

5.6 It is however acknowledged that this policy applies across the entire plan area and with a target of 60%, not every proposal for residential development would have to comply with it. Furthermore, the development would benefit the local economy by bringing this vacant building back into use and by introducing additional residents to the area.

5.7 The proposed development would contribute nine dwellings to the local housing stock, although they would not be family sized homes this is considered acceptable given the policy target of 60%. On balance, it is considered that the proposal accords with policies CS9 and CS11 of the Local Plan for Gateshead.

5.8 RESIDENTIAL SPACE STANDARDS

Policy CS11(4) requires that new residential development provides adequate space inside and outside of the home to meet the needs of residents.

5.9 Policy MSGP12 requires new residential development to, at minimum, achieve the Nationally Described Space Standards (NDSS) in order to ensure adequate space is provided inside the home and therefore ensuring new homes are of a high standard and quality.

5.10 As indicated on the proposed floor plans, the dwellings would provide one bedroom. The minimum gross internal floor area for a 1-bedroom, 1 storey dwelling with one bed space is 39m² including 1m² of built-in storage. This space requirement can be reduced to 37m² where a shower room rather than bathroom is proposed which is applicable in this case.

5.11 The floor plans demonstrate that the smallest internal floor area would be that of unit 2 which is 37.47m² therefore none of the dwellings would fall short of the minimum standard for internal floor area.

- 5.12 The floor plans also demonstrate that the bedrooms would exceed the minimum width and floor area requirements necessary for accommodating a single bedspace.
- 5.13 It is considered that the proposal presents nine flats that would provide an adequate amount of internal living space for future occupiers which would contribute towards providing a good standard of amenity and is therefore in accordance with policies CS11 and MSGP12 of the Local Plan for Gateshead.
- 5.14 It is considered that the principle of the change of use of this site is acceptable subject to all other material planning considerations being satisfied.
- 5.15 VISUAL AMENITY
The NPPF requires that, amongst other things, new development is sympathetic to local character and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 5.16 The external alterations proposed would incorporate materials that would match that of the existing property and the overall design ensures that prominent architectural features including the existing chimney stacks and stonework around the eaves would be retained.
- 5.17 The proposed two storey side extension would be modest in size and scale and would effectively infill a space to the west of the property and therefore would not project beyond the established building line of the west elevation. It is not considered that the extension would appear as an overdevelopment of the site.
- 5.18 The application includes the addition of dormer windows which are not a common feature in the immediate vicinity. Despite this, the host building itself is not typical of its surroundings, being a substantial detached building at back of pavement and presumably purpose built as a public house. The dormers are of a modest size and scale, featuring a pitched roof and they would match the style and proportions of the windows below therefore they are considered to be appropriate additions to the building.
- 5.19 It is considered that the external alterations proposed at this property would not have a harmful impact on the character and appearance of the existing building or the wider street scene. It is considered that bringing this building back into use would result in improvements to its overall appearance and the proposal would be in accordance with policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.20 RESIDENTIAL AMENITY
The windows proposed on the front elevation of the property, including the addition of three dormer windows at second floor level, would serve habitable room windows therefore an assessment has been carried out to determine whether this would have any impact on the privacy of residents occupying dwellings which are located opposite the application site.

- 5.21 The closest dwellings are No.43 and No.45 Causeway, the front elevations of these dwellings are approximately 18 metres away from the front elevation of 46 Causeway. They are also located at a lower ground level with their front elevations positioned at a slight oblique angle to that of the host property. Given this existing arrangement, the outlook from the first and second floor windows of the host property would be onto the roofs of these properties and beyond therefore it is considered that the addition of habitable room windows at first and second floor level would not harm the privacy of existing residents.
- 5.22 The large windows which served the public house at ground floor level are to be replaced by smaller windows. Although the outlook would still be towards the opposite dwellings, they would be largely screened by existing boundary treatment. It is considered that the scope for overlooking or loss of privacy to residents situated opposite the application site would be minimal and no greater than if the site were still a functioning public house.
- 5.23 The application proposes to install habitable room windows on the rear elevation of the host property which is currently blank. The rear elevations of dwellings on Leeming Gardens would face this elevation. These properties are located approximately 36 metres away and are heavily screened by large trees therefore it is considered the development would have no significant impact on the privacy of residents on Leeming Gardens.
- 5.24 Properties located directly adjacent to the application site, Nos.48 and 50 Blue Quarries Road to the west and Nos.48 and 50 Causeway to the east, are both situated at oblique angles to the host property therefore there is no scope for direct views into any habitable room windows.
- 5.25 An assessment of the amenity of future occupiers of the application site has also been carried out with particular focus on outlook and provision of natural light to the ground floor windows serving Units 2 and 3.
- 5.26 Proposed windows on the rear elevation at ground floor level would serve a bedroom and living room associated with Unit 2. The application proposes to excavate and lower the ground level to the rear of the property to ensure regular sized windows can be accommodated. The proposed sectional drawing (ref. AS301 P2) demonstrates that the land levels adjacent to the windows would be lowered by a maximum of 1.63 metres and would gently slope upwards. This arrangement is considered acceptable and would ensure that residents are afforded a sufficient level of outlook and natural light.
- 5.27 To ensure that an acceptable level of amenity for the future occupiers of Unit 2 is secured, a condition has been attached which requires the land to the rear of the property to be appropriately regraded prior to full sized windows to be installed, before it can be first occupied.
- 5.28 Windows and a French door would also be added to the west facing elevation at ground floor level serving habitable rooms associated with Unit 3. The ground level adjacent to these windows and door would be lowered by 1.23 metres to accommodate these additions. Again, a planning condition has

been attached which requires this land to be lowered prior to windows and doors being installed and the unit being occupied.

- 5.29 The ground floor windows on the west elevation would however be fully enclosed by the existing yard wall which is at least 3.5 metres in height above the ground level of the yard, the minimum distance between this wall and a habitable room window would be 3.4 metres. The rooms at ground floor level would therefore be afforded a limited outlook of this solid boundary wall. Despite this, significant weight has been given to paragraph 11 of the NPPF as Gateshead Council have not met the required housing delivery target.
- 5.30 It is considered that the residential amenity concerns regarding limited outlook from the habitable rooms of Unit 3 would not significantly or demonstrably outweigh the benefit of contributing a new dwelling to Gateshead's housing supply therefore paragraph 11 of the NPPF should be applied in this case.
- 5.31 The property is an existing detached building in a residential setting, the comings and goings associated with the proposed residential development are unlikely to have a distinguishable or significant impact on the existing background levels of noise or disturbance experienced by nearby residents. Consideration has also been given to the building's last use as a public house, although it is also acknowledged that it has been many years since that use last took place, it could reopen without the need for planning permission. It is not considered that the level of activity nor noise generated by the proposed use would be in excess of that that could be created from a functioning public house.
- 5.32 There is likely to be an increase in noise disturbance to nearby residents during the construction phase therefore it would be necessary to condition the hours of construction.
- 5.33 On balance, it is considered that the proposed development would provide an acceptable standard of amenity for neighbouring and proposed occupiers, having regard to light, outlook and privacy and would not have an overbearing impact on adjacent properties. It is considered that the proposal is in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.34 **TRANSPORT/ HIGHWAY SAFETY**
Given site restrictions, it is not possible for onsite parking provision to be accommodated at the rear of the property. Overall, one car parking space can be provided onsite therefore the applicant has submitted a parking survey (dated 29th November 2021) which provides justification for a substandard parking provision.
- 5.35 Transport Officers are of the view that the proposed development would generate a demand of up to seven car parking spaces, including visitors. This was based on the accommodation type, and local census data relating to the car ownership levels associated with flats.

- 5.36 The parking survey demonstrates that there is capacity to accommodate the additional demand likely to be generated by the development. Furthermore, if this premises were to be reoccupied as a public house, it is considered that this residential development would not lead to a material change in local parking pressures, nor have a significant impact on highway safety or the surrounding highway network generally.
- 5.37 In order to encourage the use of sustainable transport, a condition has been attached which requires that secure and weatherproof cycle storage is provided.
- 5.38 With regard to electric vehicle charging, given that this is a minor planning application and considering site limitations regarding parking provision, it is not considered reasonable to condition the provision of electric vehicle charging points.
- 5.39 Subject to compliance with conditions, the proposal accords with policies CS13 and MSGP15 of the Local Plan for Gateshead.
- 5.40 **WASTE MANAGEMENT**
It is considered that the application proposed a sufficient level of secure onsite refuse facilities, and the site has good access to the existing road for emptying therefore the proposal is in accordance with policy MSGP48 of the Local Plan for Gateshead.
- 5.41 **ARBORICULTURE**
The application does not propose to remove any trees and all notable trees are located at least 12 metres away from any site of excavation. It is considered that the proposal would not have an unacceptable impact on the trees within and around the application site boundary and complies with policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.
- 5.42 **ECOLOGY**
The application site has been assessed by the Council's Ecologist and is considered generally to be of low ecological value however the building within the site is considered as being moderately suitable to support roosting bats.
- 5.43 A Bat Survey Report by Falco Ecology (dated July 2022) was submitted to the Local Planning Authority which confirmed the absence of roosting bats.
- 5.44 Based upon the information submitted, there is no requirement for any further ecological surveys to be undertaken at this site however it is recognised that the development has the potential to have a minor adverse impact on biodiversity. To minimise this harm, relevant conditions regarding ecology have been attached.
- 5.45 Subject to compliance with conditions, the proposal is considered to be in accordance with policies CS18 and MSGP37 of the Local Plan for Gateshead.
- 5.46 **LAND CONDITIONS**

application site has been assessed and inspected as part of the Council's Contaminated Land Strategy and has been identified as being previously occupied by housing before being demolished and replaced by the current public house.

- 5.47 Given the site's historic use and that the proposal would involve minimal excavation and soft landscaping, the proposed development is considered to be low risk.
- 5.48 Overall, the level of land contamination potentially being a hazard to site operatives and future site users is low within the development area and potential risks from unforeseen contamination should be addressed through normal site risk management and welfare procedures.
- 5.49 It is not considered necessary for any intrusive investigation works concerning land contamination to be carried out therefore the proposal is in accordance with policies CS14 and MSGP20 of the Local Plan for Gateshead.
- 5.50 **LAND STABILITY**
The Coal Authority has identified that the site is situated within a 'Development High Risk Area'. A Coal Mining Risk Assessment has been submitted to support this application.
- 5.51 The Coal Mining Risk Assessment concludes that possible shallow mining works could pose a significant stability risk to the proposed development and recommends that an intrusive site investigation is undertaken to inform any necessary remedial measures.
- 5.52 The Coal Authority concurs with the recommendation of the Coal Mining Risk Assessment therefore planning conditions have been attached to address the potential risk from coal mining legacy. Subject to compliance with the relevant planning conditions, the proposal is in accordance with policy CS14 and MSGP20 of the Local Plan for Gateshead.
- 5.53 **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.
- 5.54 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.
- 5.55 **OTHER MATTERS**

Concerns have been raised with regards to the potential for vandalism. Northumbria Police have been consulted and have confirmed that they have no objections to the proposed development.

5.56 An objection has been submitted concerning the length of time future occupants reside at the property. This is speculative and is not a material planning matter and has not been taken into consideration as part of this planning assessment.

5.57 **COMMUNITY INFRASTRUCTURE LEVY**
On 1st January 2017, Gateshead Council became a CIL charging Local Authority. This proposal has been assessed against the Council's CIL charging schedule and this development would be CIL chargeable. CIL is charged on all new developments which create more than 100m² of floor space and on developments which create 1 or more new dwellings, even where the floor space is less than 100m².

5.58 The development is located within Residential Zone C and would therefore be subject to a charge of £0/sqm.

6.0 CONCLUSION

6.1 Taking all of the relevant issues into account, it is considered that the proposed development is acceptable and accords with the relevant national and local planning policies.

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 shall be carried out in complete accordance with the approved plan(s) as detailed below –
01.A3 Location Plan Revision 1
AP130 Revision P2 Proposed Site Plan
AE200 Revision P3 Proposed Elevations
AP150 Revision P5 Proposed Plans Ground Floor
AP151 Revision P3 Proposed Plans First Floor
AP152 Revision P3 Proposed Plans Second Floor
AS302 Revision P3 Existing and Proposed Section Proposed Levels to Side
AS301 Revision P2 Existing and Proposed Section Proposed Levels to Rear

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

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

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF and Policies CS15 and MSGP24 of the Local Plan for Gateshead.

4

Prior to the installation of habitable room windows at ground floor level on the rear elevation of the building, the adjacent land shall be regraded in accordance with plan reference AS301 Revision P2. Unit 2 shall not be occupied for residential use until the windows hereby approved have been installed.

Reason

To safeguard the amenities of future residents and in accordance with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

5

Prior to the installation of habitable room windows/doors at ground floor level on the west elevation of the building, the adjacent land shall be regraded in accordance with plan reference AS302 Revision P3. Unit 3 shall not be occupied for residential use until the windows hereby approved have been installed.

Reason

To safeguard the amenities of future residents and in accordance with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

6

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

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.

7

Prior to the first occupation of any dwelling, details of a minimum provision of nine secure and weatherproof cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists and in compliance with the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

8

The cycle parking approved under Condition 7 shall be installed on site prior to the first occupation of any dwelling and retained as such thereafter.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

9

Prior to the installation of any new external lighting associated with the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

10

The external lighting approved under Condition 9 shall be installed in full accordance with the approved details.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

11

The development hereby approved shall not be constructed beyond damp proof course level until information detailing the provision of a minimum of 1no. bat box and 1no. bird box has been submitted to and approved in writing by the Local Planning Authority. Information should detail the type/specification, precise location, installation method and maintenance of the bat box.

Reason

To safeguard bat foraging and commuting habitat and bird nesting in accordance with the National Planning Policy Framework and policies CS18 and MSGP37 of the Local Plan for Gateshead.

12

The bat and bird boxes approved under Condition 11 shall be installed prior to the construction of the development beyond damp proof course level and retained as such thereafter.

Reason

To safeguard bat foraging and commuting habitat in accordance with the National Planning Policy Framework and policies CS18 and MSGP37 of the Local Plan for Gateshead.

13

Prior to the commencement of any development involving ground breaking works, an intrusive site investigation to establish the risks posed to the development by coal mining legacy shall be submitted to and approved in writing by the Local Planning Authority. The site investigation must be undertaken by competent persons and a written report of the findings must be produced.

The site investigation should consist of the drilling of boreholes to depths of up to 30 metres below ground level, to establish ground conditions, the depth and condition of shallow coal seams/workings and to inform any necessary remedial measures.

Where necessary, a detailed remediation scheme to ensure the safety and stability of the proposed development shall also be submitted to the Local Planning Authority for written approval.

Reason

To ensure that any risks from historical coal mining activities to the future users of the site are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the

National Planning Policy Framework and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

14

Unless otherwise approved in writing by the Local Planning Authority, the development hereby approved shall be constructed in full accordance with the scheme for remedial stabilisation works approved under condition and carried out in accordance with authoritative UK guidance.

Reason

To ensure that any risks from historical coal mining activities to the future users of the site are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

15

Unless otherwise approved in writing by the Local Planning Authority, prior to the first residential occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the completion of the remedial works and mitigation necessary to address the risks posed by past coal mining activity.

Reason

To ensure that any risks from historical coal mining activities to the future users of the site are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

16

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

Reason

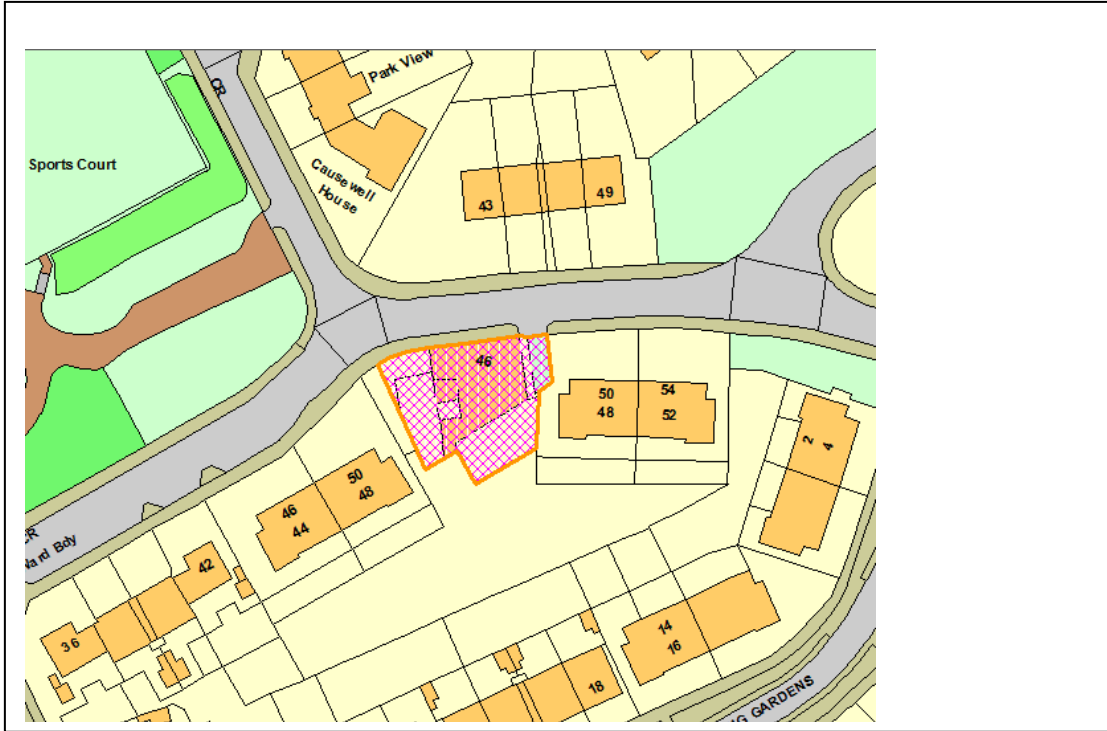
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS14 and MSGP20 of the Local Plan for Gateshead.

17

No dwelling hereby approved shall 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.



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REPORT NO 2

Committee Report

Application No:	DC/22/00744/OUT
Case Officer	Rebecca Norman
Date Application Valid	27 July 2022
Applicant	Ms L Miller
Site:	Former Miners Welfare Hall Crawcrook Lane Ryton NE40 4PA
Ward:	Crawcrook And Greenside
Proposal:	Outline permission for redevelopment of site including demolition of former Miners Welfare Hall, workshop and store and erection of up to 6no. dwellings with associated parking areas and access (all other matters reserved) (amended and additional plans 21.11.2022, 01.02.2023, 28.02.2023, 01.03.2023).
Recommendation:	GRANT
Application Type	Outline Application

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

The application site is situated to the south east of the junction of Crawcrook Lane and Chesters Gardens, Crawcrook.

1.2 The northern part of the site is occupied by a building known as the former Clara Vale Miners' Welfare Hall. The building is currently vacant but was previously occupied as a furniture restoration business. To the western boundary alongside Crawcrook Lane sits a two storey/single storey building currently used as a workshop and for storage. To the centre of the site is a single detached residential property and to the southern boundary are a pair of semi-detached residential properties; the eastern property of the pair is outwith the red line boundary.

1.3 Vehicle access into the site is from Crawcrook Lane to the western boundary between the former Miners' Hall and workshop/storage building, which serves the residential and commercial uses. Land levels fall to the north west, and the site access slopes up from the road.

1.4 The site is located within an established residential area with commercial/retail uses to the south and east along Main Street (B6317). The site is bordered by Chesters Gardens and residential properties to the north and east. To the west is Crawcrook Lane with terraced dwellings known as Greenwell Terrace beyond and the junction with St. Agnes Gardens. The site is bordered immediately to

the south by a residential property known as Paygate House with Crawcrook Social Club beyond.

1.5 The former Miners' Hall is a locally listed building. The site falls outside of the Crawcrook Area of Special Character but is adjacent to its boundary.

1.6 DESCRIPTION OF APPLICATION

This application is seeking outline planning permission for the redevelopment of the site including the demolition of the former Miners' Hall and workshop/storage building and construction of up to 6no. dwellinghouses with associated access.

1.7 Access is being considered as part of this application and is proposed to be taken from the north from Chesters Gardens, which would require the demolition of the former Miners' Hall building. A plan showing the proposed site access has been submitted.

1.8 An illustrative site layout plan has also been provided to support the application, to show how 6no. dwellings and associated gardens and car parking could be facilitated within the site. This shows the closure of the existing vehicle access from Crawcrook Lane and an indicative layout for the site comprising two blocks of 3no. dwellings to the north and west boundaries, with access and parking to the eastern side of the site.

1.9 Matters relating to layout, appearance, landscaping and scale are reserved for subsequent reserved matters approval.

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

- Phase I Risk Assessment and Coal Mining Risk Assessment
- Bat Survey report
- Planning Statement
- Heritage Statement
- Additional heritage report
- Building Assessment report
- Proposed Site Entrance plan
- Indicative site layout plan

1.11 RELEVANT PLANNING HISTORY

DC/21/00811/OUT – Redevelopment of site including demolition of former Miners' Welfare Hall and adjacent workshop for proposed 8 dwellings including terraced housing and apartments with associated parking areas and improved access (amended plans 23.09.2021, 05.10.2021, 28.03.2022) (amended description 05.10.2021). Application withdrawn 16.06.2022.

1113/92 - CERTIFICATE OF LAWFULNESS OF AN EXISTING USE:
Use of premises as builders yard. Certificate granted 08.03.1993.

263/90 - Development for residential purposes (use class C3). Outline
planning permission granted 08.06.1990.

19/88 - Change of use from vacant plastics factory to furniture
restoration, storage and retail showroom. Planning permission
granted 08.02.1988.

837/87 - Change of use from production of glassfibre components to
production of wooden patterns for foundry use, models and
signboards etc. Planning permission refused 02.10.1987.

2.0 Consultation Responses:

The Coal Authority	No objections, subject to conditions
Tyne and Wear Archaeologist	Whilst the retention and reuse of the building would be preferable, based upon the condition and suitability of the building for conversion, no objections are raised, subject to conditions

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 including the display of site notices.
- 3.2 Two letters of objection have been received from Councillor Haran which raise the following matters:
- Objection to loss of local heritage building
 - Objection to anything that isn't appropriate conversion or refurbishment
 - Historical context needs to be taken into consideration
 - Overdevelopment
 - Development too close to the junction
 - There are existing parking/access complaints relating to the school and the proposed development would make the access route worse
 - The junction is currently constantly covered with lots of parked cars, it is unclear how it would cope with 6 additional dwellings
 - The junction is difficult to enter and exit and an additional access from Chesters Gardens would make it difficult
- 3.3 4no. objections have been received which are summarised below:

Heritage/visual amenity

- The loss of the Miners' Hall would not conserve the heritage of the village and its historical assets
- The conversion/retrofit of the Miners' Hall would benefit the development and the character and historic narrative of the surrounding area
- Out of character with Conservation Area
- Out of character with streetscene
- Overdevelopment
- Objection raised to contents and conclusion of Building Report; the information to justify the demolition of the Miners' Hall is inadequate
- Loss of locally listed structure in an area of limited buildings of historical significance; there are no listed buildings within the urban areas of Crawcrook, Clara Vale or Barmoor and none as visible as the Miners' Hall
- Proposals do not offer any wider community benefit to counteract the loss of the important locally listed structure
- Yet another building with historic interest destroyed to make way for more unnecessary housing that local people cannot afford

Residential amenity

- Residential amenity concerns
- Additional noise
- Health concerns
- Cooking smells and odours
- Disturbance early mornings/late evenings
- Loss of light
- Loss of privacy
- Overbearing impact

Highway safety and parking

- Inadequate car parking
- Increase in traffic

Climate change

- The Council have declared a climate emergency: should there be a retrofit-first approach to development, which have a lower embodied carbon footprint

Other matters

- Lack of detail regarding boundary wall shared with Paygate House; this wall should be retained as it is the garage and utility room wall for Paygate House and provides privacy and security for the outdoor space
- Concerns that the existing drainage system will not be able to cope with 6no. additional properties

- The roof of the garage next to Paygate House is believed to be asbestos, what will happen to the occupiers of Paygate House when this is removed?
- The bin area proposed to be located adjacent to Paygate House may attract vermin and odours
- The grass area adjacent to Paygate House could potentially attract vandals to climb on the roof, encroaching on privacy

3.4 1no. letter of support has been received which is summarised below:

- The building and surrounding area need rejuvenation and repair
- The replacement of the Miners Hall with housing is supported
- The properties will attract families, which will promote community spirit and improve the general area

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS1 Spatial Strategy for Sustainable Growth

CS9 Existing Communities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

MSGP8 Digital Infrastructure

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP23 Areas of Special Character

MSGP24 Design Quality

MSGP25 Conservation/Enhancement Heritage Assets

MSGP27 Archaeology

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP39 Protecting Open Space/Sport/Recreation

MSGP40 Provide/Enhance Open Space/Sport/Rec

MSGP48 Waste Management Facilities - New Dev

GPGSPD – Gateshead Placemaking Guide SPD

5.0 Assessment of the Proposal:

5.1 The key planning matters to be taken into consideration in the assessment of this application are the principle of the development, heritage assets, visual amenity, area of special character, residential amenity, highway safety and parking, ecology, trees, ground conditions, digital infrastructure, CIL, open space and play, and any other matters.

5.2 THE PRINCIPLE OF THE DEVELOPMENT

5.3 Housing demand and policy

Policy CS10 of the Local Plan for Gateshead states that 11,000 new homes (excluding purpose-built student accommodation) will be built in Gateshead over the period April 2010 to March 2030. The proposal would contribute to local housing stock in the Borough and is therefore in accordance with Local Plan policy CS10.

5.4 The latest results of the Housing Delivery Test (HDT) show that 87% of homes required are being delivered in the Borough. The proposed development therefore has the potential to increase housing delivery, which is a positive factor

5.5 The site is not allocated for any specific purpose and is therefore classed as a windfall housing site. Having regard to the circumstances of the site, which is in an established residential area with public transport links close to Crawcrook Local Centre, which has recreational and community facilities and is easily accessible, this is considered to be an appropriate location for new residential development in principle.

5.6 Housing mix

Policy CS9 of the Local Plan for Gateshead seeks to ensure that existing communities will be sustainable places of quality and choice which should be achieved by, amongst other things, maintaining a range of housing types and sizes throughout the plan area.

- 5.7 Local Plan policy CS11(1) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families, with a minimum target of 16,000 new homes to have three or more bedrooms.
- 5.8 Officers consider that, in principle, the use of the site for residential development is acceptable and the illustrative site layout indicates that the development would be capable of providing family homes, pursuant to policies CS9 and CS11(1).
- 5.9 Residential space standards
Local Plan policy CS11(4) requires new residential development to provide *“adequate space inside and outside of the home to meet the needs of residents”*. This is supported by policy MSGP12, which states that *“new homes should be built in accordance with the Nationally Described Space Standards (NDSS), or equivalent successor standards, as a minimum”*.
- 5.10 The number of bedrooms per dwelling is not included within the application description however the indicative site layout describes a scheme for 6no. 3-bed houses (90sqm each). This would fulfil the minimum gross internal floor area for either a 2 storey or 3 storey 3-bed 4-person dwelling including 2.5sqm built-in storage (84sqm or 90sqm). Whilst the building footprints shown on the indicative plan fall slightly short of that which would be required to illustrate two storey dwellings, Officers are satisfied that the application demonstrates that an appropriate scheme for up to 6no. dwellings of an appropriate layout and scale could be delivered which would comply with Local Plan policies CS11(4) and MSGP12 and would fulfil policy CS11(1).
- 5.11 Conclusion
It is considered that the proposed redevelopment of the site for residential development is acceptable in principle in accordance with the NPPF and Local Plan policies CS9, CS10 and CS11(1) and that Officers are satisfied that the submitted indicative plan demonstrate that the site could deliver a scheme of up to 6no. dwellings that would meet NDSS and would therefore comply with Local Plan policies CS11(4) and MSGP12.
- 5.12 IMPACT ON HERITAGE ASSETS
The former Clara Vale Miners’ Welfare Hall to the northern boundary of the site is on the Council’s Local List, as referred to by Local Plan policy MSGP25. This is therefore a non-designated heritage asset, as defined by the NPPF.

- 5.13 The Historic Environment Record (HER) describes the building as an orange-red brick single storey former Miners' Hall with a slate roof and multipane green-painted metal windows in original arched openings, with an unfortunate flat roofed porch that obscures the original arched entrance doorway. The building is noted to be of historical importance as the Clara Vale Miners' Hall – the pit having been the origin of the village itself – despite its location in Crawcrook. The building is noted to be a good, representative example of a type of building which was once commonplace in the whole of the north east, with its character having been retained and the few visible alterations such as the porch being reversible.
- 5.14 Paragraph 197 of the NPPF states that *“in determining applications, local planning authorities (LPAs) should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;*
and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness”.*
- 5.15 The application proposes the demolition of the former Miners' Hall, which would facilitate the creation of the proposed access pursuant to the erection of up to 6no. dwellings on the site. Whilst layout is a reserved matter, the submitted indicative layout plan illustrates a scheme for the site whereby the footprint of the former Miners' Hall and existing workshop/storage building are predominantly occupied by new dwellings.
- 5.16 In terms of considering applications affecting non-designated heritage assets, NPPF Paragraph 203 states that:
- “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*
- 5.17 NPPF Para. 203 does not refer explicitly to the demolition of non-designated heritage assets and requires a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset. In this instance, the significance of the building would be completely lost through its demolition.
- 5.18 Comments have been received which state that the proposals do not offer any public benefit to counteract the loss of the locally listed

building. There is however no requirement in heritage policy terms to achieve public benefit when considering the loss of a non-designated heritage asset; such a requirement is only necessary in relation to development which leads to less than substantial harm, substantial harm or loss of a designated heritage asset. Further, the NPPF does not offer any differentiation between different harms as is the case with designated heritage assets, and only refers to the scale of harm.

- 5.19 Local Plan policy CS15 requires development to contribute to the conservation and enhancement of the historic environment. This will be achieved by taking a proactive approach to sustaining the historic environment in a manner appropriate to the significance of the asset and requiring development to support and safeguard the historic environment by, where appropriate, positively adapting heritage assets to ensure the continued contribution to quality of place.
- 5.20 The application is accompanied by a Heritage Statement which describes the Miners' Hall and identifies that it is of local significance, noting that the building is of a design and appearance that was once typical for the area and therefore that this serves as an interpretation of the history of the local area which is likely to have local value to surrounding settlements and residents. Whilst having previously been used by the local community, the Heritage Statement does however note that the building has been in private ownership for some time and is therefore no longer of community value.
- 5.21 The submitted Heritage Statement also identifies that the Miners' Hall and other buildings on the site are in poor condition, and therefore suggests that the building would not be safe for use by the public. The views raised relating to the condition of the building are reiterated in an independent Building Assessment report that was carried out to advise on the feasibility of converting the Hall to a single dwelling or multiple apartments. The Assessment concludes that the building is not capable of conversion and raises areas of concern including:
- The absence of a damp proof course
 - The cavity wall being full of mortar
 - The complete erosion of wall cavity ties, which is visible as the eastern gable wall has collapsed, leaving the inner wall exposed
 - Evidence of subsidence at the chimney stacks which indicates the failure of the foundations and suggests that any future conversion would be structurally unsound
 - Asbestos throughout all ceilings
 - Storm damage
- 5.22 As there is no evidence of any later alterations to the Hall, the Building Assessment assumes that the entire building is of the same construction as noted above, and therefore considers that it may be necessary to demolish and re-build the building to ensure conformity to current Building Regulations prior to any further construction. In

particular, the report raises concerns that the collapse of external brickwork demonstrates that the building is not suitable for conversion.

- 5.23 The Building Assessment comments further on the feasibility of converting the Hall without altering its external appearance. This is due to the low roof space above the windows and positioning of the windows, which would make the building difficult to partition into apartments.
- 5.24 The application recognises that the Miners Hall is of local significance and that the loss of the building is unfortunate. However, taking into consideration the findings of the Building Assessment, the Heritage Statement concludes that the building is not suitable or viable for conversion and that its condition and lack of use has resulted in the building falling into a state of disrepair. Further, the Heritage Statement concludes that the demolition of the building would enable the provision of new housing development that would bring both economic and social benefit, which would outweigh the loss of the building.
- 5.25 Whilst a comprehensive structural report has not been submitted Council Officers concur that the building is in a deteriorating condition, and consider that its significance and heritage value have declined over time and continue to do so, both because of the physical state of the building and because this is no longer in community use as per its intended purpose as a Miners' Welfare Hall, having been used as a factory and then as a furniture workshop.
- 5.26 As identified by the applicant, the proposed development would result in the creation of up to 6no. dwellings on a previously developed site and would also facilitate the replacement of the dilapidated workshop buildings to the western boundary along Crawcrook Lane. Further, the demolition of the Miners' Hall is necessary to enable the creation of an access from Chesters Gardens to serve the proposed development on the site.
- 5.27 Therefore, whilst the loss of the locally listed building is regrettable, Officers consider that on balance, the harm resulting from the loss of the non-designated heritage asset would be outweighed by the benefits of new development on the site.
- 5.28 It is considered that a suitable scheme for the site could be developed at reserved matters stage to be reflective of the form and materials of the existing building and/or those within the site and surrounding area, in order to retain some reference to the heritage significance of the site. Whilst the indicative layout provided is only illustrative of a scheme which could be proposed at reserved matters stage, Officers note that the layout shown would fit appropriately onto the site with a

similar placement to the existing buildings and would relate appropriately to the retained sandstone dwellings on the site.

- 5.29 Furthermore, Officers also note the fallback position available to the applicant to apply to the LPA for a determination of prior approval for the demolition of all buildings on the site. This type of application does not include any consideration of the principle of the demolition and the LPA is only able to consider whether their prior approval will be required as to the method of demolition and any proposed restoration of the site.
- 5.30 The Tyne and Wear Archaeologist has raised no objections to the application including the demolition of the building. In order to ensure that an archive record of the building is made, a condition is recommended to be imposed for historic building recording prior to its demolition, pursuant to the requirements of Local Plan policies MSGP25 h) and MSGP27.
- 5.31 Having regard for the above, and on taking a balanced judgement in terms of the loss of the non-designated heritage asset, it is therefore considered that the proposed development is acceptable in heritage terms and accords with the NPPF and policies CS15, MSGP25 and MSGP27 of the Local Plan for Gateshead.
- 5.32 VISUAL AMENITY/LOCAL CHARACTER
NPPF Paragraph 126 makes clear that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”*. It goes on to state that *“good design is a key aspect of sustainable development”*.
- 5.33 Paragraph 131 further states that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.
- 5.34 Policy CS15 of the Local Plan for Gateshead requires that development should contribute to good place-making through the delivery of high quality and sustainable design by responding positively to local distinctiveness and character, as supported by Local Plan policy MSGP24.
- 5.35 The existing workshop buildings and Miners’ Hall are situated to the north and western boundaries and provide a built frontage onto Crawcrook Lane and Chesters Gardens.
- 5.36 Officers are satisfied that the indicative site layout plan illustrates that a development of up to 6no. dwellings could be accommodated in the site alongside the existing dwellings and the proposed access to relate appropriate to the existing dwellings and afford sufficient private

amenity space and parking facilities for future occupiers without resulting in overdevelopment.

- 5.37 The indicative layout plan illustrates that the proposed dwellings would be positioned to the north and western boundaries of the site, replicating the position of the existing buildings on the site, which Officers consider would be acceptable in broad terms. As the application has been submitted in outline form the final design would be considered through a reserved matters application. It is however considered that a scheme for the appearance, scale, layout and landscaping of the development could be developed for the site which would respond appropriately to the appearance and character of the surrounding area.
- 5.38 Land levels within the wider area fall to the north west and there is a levels difference within the site. It is therefore necessary to impose conditions requiring final details of levels within the site, in order to ensure that the proposed development appears as an appropriate addition to the site relative to the surrounding properties.
- 5.39 Subject to the inclusion of the above conditions the proposal is considered to accord with the design aims and objectives of the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.40 **AREA OF SPECIAL CHARACTER**
Local Plan policy MSGP23 requires a high level of importance to be given to the design of development within or affecting the setting of Areas of Special Character. Development should maintain or enhance the character of the area and inappropriate development will be resisted.
- 5.41 The Crawcrook Area of Special Character, as defined by the Gateshead Placemaking SPD, is predominantly a linear area focussed around Main Street, with clusters of terraced streets and some older buildings. The design guidance set out within the SPD states that any development along Main Street and Old Main Street be of a high architectural standard, and that alterations or extensions which would have an adverse impact on the quality and appearance of existing buildings should be resisted.
- 5.42 The application site is located adjacent to the Crawcrook Area of Special Character, the boundary of which is to the south and west of the site. Officers consider that a final scheme for the site could be submitted at reserved matters stage which would maintain or enhance the identified character of the area, in accordance with the Placemaking SPD and Local Plan policy MSGP23.
- 5.43 **RESIDENTIAL AMENITY**
Whilst the application has been submitted in outline form, it is considered that the indicative plans demonstrate that the site could

accommodate 6no. dwellings which would allow for adequate separation distances without unacceptable detriment to privacy, or resulting in an overbearing impact, unacceptable overlooking, loss of light or overshadowing to the existing dwellings within and adjacent to the site (including Existing Units 1-3 and Paygate House).

- 5.44 Concerns have been raised in relation to a lack of detail about the boundary wall to the northern side of the yard of Paygate House, which is formed from the existing workshop building which the indicative plans show would be demolished. Given the nature of this outline application no details of the final site layout have been provided however Officers are satisfied that a final scheme could be submitted at reserved matters stage which would ensure adequate privacy for occupiers of Paygate House.
- 5.45 Concerns have been raised regarding the proximity of the bin store associated with Proposed Unit 6 and Paygate House and potential issues with vermin and odour. Final details of the development would be considered at reserved matters stage however Officers consider that there is no evidence that the bin store of a single residential property would result in such issues occurring.
- 5.46 Officers further consider that the indicative information submitted demonstrates that the site could accommodate a development of up to 6no. dwellings which would provide adequate internal and external space and maintain an acceptable level of amenity for future occupiers of the proposed development.
- 5.47 Officers consider that the demolition and construction works associated with the development could impact on the living conditions of neighbouring occupiers. Conditions are therefore recommended to be imposed in respect of the hours and management of construction.
- 5.48 Having regard to the above, Officers consider that the proposed development could be undertaken without harm to the living conditions of nearby residential properties and that a scheme could be delivered which would afford acceptable living conditions for future occupiers, in accordance with the NPPF and Local Plan policies CS11, CS14 and MSGP17.
- 5.49 **HIGHWAY SAFETY AND PARKING**
The application site is situated within an established residential area with nearby public transport links and there are a number of nearby shops and amenities in Crawcrook Local Centre that can be reached on foot. Officers therefore consider the site to be sustainable in transport terms.
- 5.50 The application site has an existing access to the western boundary from Crawcrook Lane which serves both vehicles and pedestrians.

- 5.51 The application proposes the creation of a new access to serve the site which would be from the northern boundary with Chesters Gardens, as shown on the 'Proposed Site Entrance' plan. The new access would include a pedestrian footway into the site and the creation of a traffic calming feature at the entrance. The indicative layout illustrates how the proposed access could connect with development in the site and shows the closure of the existing access to the western boundary together with the creation of a new pedestrian access onto Crawcrook Lane.
- 5.52 Officers consider that the location of the proposed access is acceptable in highway safety terms and represents an improvement on the existing access, being located further away from the junction between Crawcrook Lane and Chesters Gardens and sited on a lower classification of road. The submitted plans also demonstrate that the proposed access would provide appropriate visibility and accessibility for pedestrians. Final details of the proposed access and reinstatement of the existing access are recommended to be sought by conditions. The applicant would also be required to enter into a S278 Agreement for the works within the highway.
- 5.53 Whilst the final layout of the development would be considered at reserved matters stage, Officers are satisfied that the indicative site layout and vehicle swept path analysis demonstrate that the scale of development proposed by the application could be accommodated within the site in respect of turning for cars and vans, parking for existing and proposed residents and visitors, cycle parking and refuse storage, and that an acceptable final scheme could be achieved at reserved matters stage. In demonstrating that car parking can be achieved in accordance with MSGP standards, Officers are satisfied that the proposed development would not impact upon any existing or perceived on-street parking issues around the site.
- 5.54 In order to ensure that the final layout of the site is acceptable, conditions would be imposed to ensure that details of parking, turning and refuse storage are included as part of any reserved matters submission. Conditions would also be imposed to ensure that a pedestrian route is maintained to the western boundary to Crawcrook Lane, as indicated on the submitted illustrative layout, and in respect of surface water drainage within the site to ensure that this is intercepted prior to it entering the highway.
- 5.55 Officers consider that the demolition and construction phase of the development may impact upon the public highway and also access for existing properties within the site and therefore conditions would be imposed to secure the provision of a Demolition and Construction Management Plan.
- 5.56 Subject to the imposition of the above conditions, Officers consider that the proposed development is acceptable in highways terms and

would accord with the aims and objectives of the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

5.57 TREES

There are a small number trees and shrubs within the application site which offer a limited contribution to the amenity of the wider area. As the scheme is for outline approval final details of landscaping would be submitted at reserved matters stage which Officers consider is acceptable, and that compensatory planting could be achieved to replace any lost trees and shrubs. Therefore, the scheme is considered to be acceptable in respect of trees and accords with the NPPF and policies CS18 and MSGP36 of the Local Plan for Gateshead.

5.58 ECOLOGY

The proposed development site is not located within or immediately adjacent to a designated nature conservation site or Wildlife Corridor, and no significant adverse impacts are anticipated in relation to any such features.

5.59 The application is supported by a Bat Survey which confirms the presence of at least 3no. day roosts within the detached dwelling to the centre of the site containing individual or small numbers of non-breeding crevice dwelling bats. Other buildings within the site are assessed as being of low or negligible suitability for roosting bats and no other roosts were identified during survey works. No evidence of maternity roosts was recorded. Buildings within the site are considered suitable for use by nesting birds although no evidence of nesting was recorded.

5.60 The proposed development may result in the loss of bat roosts and has the potential to cause harm/disturbance to roosting bats if they are present at the time of works. In order to ensure that the proposed development provides appropriate avoidance, mitigation, compensation and enhancement measures the following conditions are recommended to be imposed:

- Submission and implementation of a bat and breeding bird method statement and details of integrated bat and bird boxes
- Submission of updating bat surveys if works not commenced within 24 months
- Submission and implementation of an ecological lighting strategy

5.61 A Protected Species Mitigation Licence may be required from Natural England to facilitate the proposed development. As this is governed under a separate regime, an informative would be attached regarding this.

5.62 Subject to imposition of the above conditions it is considered that the proposed development would not result in unacceptable harm to

ecology and would comply with the aims and objectives of the NPPF and policies CS18, MGP36 and MSGP37 of the Local Plan for Gateshead.

5.63 GROUND CONDITIONS

5.64 Coal Mining Legacy

The site falls in the Coal Authority defined Development High Risk Area. A Coal Mining Risk Assessment has therefore been submitted with the application. The Coal Authority agree with the recommendations of the submitted assessment, and it is recommended that conditions be imposed requiring the submission of a report of further site investigations relating to coal legacy, remediation scheme where required, the implementation of approved remediation measures and the submission of verification report(s) demonstrating their effectiveness.

5.65 Contaminated Land

The application is accompanied by a Phase I Preliminary Risk Assessment (PRA) and has been assessed as being situated on potentially contaminated land based on previous historic use. Conditions are recommended to be imposed requiring final details of intrusive site investigations (Phase II Detailed Risk Assessment), and where required, remediation measures and gas monitoring, and the implementation of approved remediation measures and the submission of verification report(s) demonstrating their effectiveness.

5.66 Subject to the above conditions the development would comply with the aims and requirements of the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.67 DIGITAL INFRASTRUCTURE

Local Plan policy 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.

5.68 A condition is recommended to be imposed requiring the submission of a statement explaining the outcome of this engagement, subject to which the application complies with policy MSGP8 of the Local Plan for Gateshead.

5.69 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 CIL chargeable development as it is housing related. The development is located within Charging Zone C, with a levy of £0 per square metre for this type of development. The development would therefore be charged accordingly.

5.70 OPEN SPACE AND PLAY PROVISION

Policy MSGP40 of the Local Plan for Gateshead states that new development will ensure that the provision of open space, sports and recreation facilities is able to meet identified needs and seeks to achieve this through the provision of open space and play facilities on new housing developments of 10 dwellings or more. As the application is for less than 10 dwellings there is no requirement to provide open space or play facilities as part of the development.

5.71 ANY OTHER MATTERS

Concerns have been raised that the existing drainage system serving Paygate House will be unable to cope with the proposed development. It is considered that this matter would be addressed at Building Regulations approval stage.

5.72 Further concerns have been raised as to what would happen to occupiers of Paygate House during works to dismantle the adjacent garage, including the suspected asbestos roof. Conditions are recommended to be imposed to require details of demolition and construction management in order to protect the amenity of local residents. Matters relating to the safe removal and disposal of asbestos would be governed under the Building Regulations regime. Issues surrounding the use of the yard during the course of works and consent for works to take place are not planning matters would be addressed under separate legislation.

5.73 There is no evidence that the proposed development would result in issues of vandalism.

5.74 Comments raised in relation to the subsequent affordability of the proposed dwellings are not a material planning consideration.

5.75 Whilst comments received which suggest that the Council adopts a retrofit-first approach to development to lower carbon footprint are noted, such an approach does not form part of current planning policy and the matter to be determined by this application is the acceptability of the proposed scheme.

5.76 It is considered that all other material planning considerations have been addressed within the body of the report.

6.0 CONCLUSION

6.1 The proposal would result in the demolition of a locally listed building however Officers are of the view that information has been submitted

to justify the loss of the building, which would contribute to housing stock within the Borough and is necessary to facilitate the creation of a new access into the site, which represents betterment in highway safety terms relative to the existing access. Furthermore the development would remove the existing dilapidated buildings to the western boundary of the site which would improve the appearance of the wider area.

6.2 Taking all the relevant issues into account and having regard for the representations received it is considered that, on balance, the proposal for outline planning permission is acceptable in principle subject to conditions and would comply with the aims and objectives of the NPPF and the relevant policies of the Local Plan for Gateshead.

6.3 It is therefore recommended that outline planning permission be granted subject to conditions.

7.0 Recommendation:

That outline planning 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 hereby permitted in outline shall not be carried out other than in complete accordance with the plan(s) accompanying the application as listed below:

Location Plan (Dwg. No. 01)
Proposed Site Entrance (Dwg. No. 005)

and with such further details that shall be submitted to the Council prior to the commencement of development for the Council's approval in writing in relation to the following reserved matters, namely:

- (1) Appearance
- (2) Landscaping
- (3) Layout
- (4) Scale

Reason

This condition is imposed pursuant to article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended) to ensure development is carried out in accordance with the approved details as submitted.

2

Application for approval of the reserved matters (appearance, landscaping, layout and scale) shall be made to the Local Planning Authority within three years of the date of this permission.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

3

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

4

Prior to the commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall provide for:

- A) Hours of operation
- B) Details of types of vehicles to be used, including turning facilities within the site and access routes for vehicles
- C) Details of restrictions to be placed on the movement of large vehicles, including deliveries, in relation to school pick up and drop off times
- D) Location and layout of material and plant storage within the site
- E) The parking of vehicles of site operatives and visitors
- F) Measures to control the emission of dust and noise during demolition and construction
- G) Measures to prevent mud/debris/detritus from entering the public highway

Reason

In order to protect the amenities of local residents and the wider environment during construction and in the interests of highway safety, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17 and MSGP24 of the Local Plan for Gateshead.

Reason for pre-commencement condition

The construction management 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.

5

The Demolition and Construction Management Plan approved under condition 4 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 and in the interests of highway safety, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17 and MSGP24 of the Local Plan for Gateshead.

6

Notwithstanding the information submitted, the development hereby approved shall not commence until a detailed Bat and Breeding Birds Method Statement has been submitted to and approved in writing by the Local Planning Authority.

The Method Statement shall include full details of measures to be implemented on site to avoid/minimise potential adverse impacts on bats and their roosts and breeding birds.

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels, in accordance with the NPPF and policies CS18 and MSGP37.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner which avoids harm to bats. This information is fundamental to the development and requires approval before development starting on site as the commencement of works and the manner in which they are undertaken could be harmful to bats.

7

The Bat and Breeding Birds Method Statement approved under condition 6 shall be implemented in full at all times during the construction stage.

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels, in accordance with the NPPF and policies CS18 and MSGP37.

8

In the event of works not commencing on site within 24 months of the date of the submitted E3 Ecology Ltd 'Bat Survey' (7 June 2021) an updating bat survey shall be undertaken and a copy of the report

including an updated Bat and Breeding Birds Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

Thereafter, the approved updated Bat and Breeding Birds Method Statement shall be implemented in full at all times during the construction stage.

Reason

To avoid/minimise harm to protected species and their habitats and to maintain the favourable conservation status of the local bat population(s) at or above current levels, in accordance with the NPPF and policies CS18 and MSGP37.

Reason for pre-commencement condition

To satisfy the Local Planning Authority that the development can be carried out in a manner which avoids harm to bats. This information is fundamental to the development and requires approval before development starting on site as the commencement of works and the manner in which they are undertaken could be harmful to bats.

9

No demolition of the Clara Vale Miners' Hall shall commence until a report of the results of a programme of archaeological building recording of the building (which shall be at Historic England Level 3) has been submitted to and approved in writing by the Local Planning Authority.

Reason

To provide an archive record of the historic building/structure, in accordance with paragraph 205 of the NPPF and policy MSGP27 of the Local Plan for Gateshead.

Reason for pre-commencement condition

This information is required prior to demolition of the building, as the commencement of demolition/construction works without this information would result in the loss of historic remains prior to recording.

10

Following demolition, no further development shall commence until details of final existing and proposed levels throughout the site and finished floor levels have been submitted to and approved in writing by the Local Planning Authority.

The new access hereby approved shall not be steeper than 1 in 20.

Reason

To ensure an appropriate form of development in the interests of good design, in the interests of highway safety and in the interests of

residential amenity, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17 and MSGP24 of the Local Plan for Gateshead.

Reason for pre-commencement condition

To ensure that final and appropriate site levels can be agreed prior to the commencement of construction of the site, which may alter site levels.

11

The levels approved under condition 10 shall be implemented in full accordance with the approved scheme before first occupation of the development hereby approved.

Reason

To ensure an appropriate form of development in the interests of good design, in the interests of highway safety and in the interests of residential amenity, in accordance with the NPPF and policies CS13, CS14, CS15, MSGP15, MSGP17 and MSGP24 of the Local Plan for Gateshead.

12

Prior to the commencement of the development hereby approved, (excluding the demolition of the existing buildings) a report of intrusive site investigations in relation to coal mining legacy, and where required, measures and timescales for remediation, monitoring, and verification reports shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure there is adequate land stability in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

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 appropriate land stability is identified and approved prior to commencement of the development.

13

The recommendations of the intrusive site investigation and the remediation, mitigation and monitoring measures approved under condition 12 shall be implemented in accordance with the timescales within the approved remediation scheme and in full accordance with the approved details

Reason

To ensure there is adequate land stability in accordance with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

14

The development hereby approved shall not commence (excluding the demolition of the existing buildings) until an intrusive site investigation is undertaken and a Phase 2 Risk Assessment report of the findings is submitted to the Local Authority for written approval.

The site investigation will consist of a series of boreholes / trial pits, soil sampling, chemical laboratory testing, to assess potential contamination issues.

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

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

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.

Reason for pre-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 suitable for the sensitive end use is identified and approved prior to the commencement of the development.

15

Prior to the commencement of development hereby approved (except for site investigations and demolition of the existing buildings) where remediation is identified under condition 14, a detailed 'Remediation Scheme' to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment shall be submitted to and approved in writing by the Local Planning Authority.

The 'Remediation Scheme' must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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.

Reason for pre-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 suitable for the sensitive end use is identified and approved prior to the commencement of the development.

16

The remediation works detailed in the 'Remediation Scheme' approved under condition 15 shall be wholly undertaken within the timescales set out within the approved scheme.

The Local Planning Authority shall 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.

17

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

The works shall not continue until an amended Risk Assessment and, if required, amended remediation and monitoring measures have

been and submitted to and approved in writing by the Local Planning Authority.

Reason

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.

18

The amended remediation and monitoring measures approved under condition 17 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.

19

Where remediation is required (under conditions 14-18), following completion of the approved remediation and monitoring measures, 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.

20

Notwithstanding the information submitted, prior to any dwellinghouse hereby permitted progressing beyond damp proof course level, full details including the specification and precise location of bat and bird boxes to be integrated into the fabric of the buildings on site shall be submitted to and approved in writing by the Local Planning Authority.

The bird box details shall cater for swift, house sparrow and starling.

Reason

To maintain and enhance the value and function of the site for roosting bats and nesting birds and to provide biodiversity enhancements, in accordance with the NPPF and policies CS18 and MSGP37.

21

The bat and bird boxes approved under condition 20 shall be installed prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development.

Should any feature become damaged or removed, a replacement feature of the same or similar specification shall be provided as soon as is practicably possible.

Reason

To maintain and enhance the value and function of the site for roosting bats and nesting birds and to provide biodiversity enhancements, in accordance with the NPPF and policies CS18 and MSGP37.

22

Notwithstanding the information submitted, the following details shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application relating to layout:

- A) The number and location of car parking spaces within the application site sufficient to serve visitors, the proposed dwellings and 3no. existing dwellings (indicated on the Proposed Site Plan Dwg. 002 Rev. P07 as 'Existing Unit 1', 'Existing Unit 2' and '3')
- B) The number, specification and location of secure and weatherproof cycle parking
- C) Provision of a direct pedestrian connection from the the site to Crawcrook Lane
- D) Details of how surface water would be intercepted prior to it entering the public highway
- E) Details of refuse storage, including collection points
- F) Information to demonstrate that there is adequate turning space within the application site for cars and vans

Reason

To ensure the safe and effective operation of the development in the interest of highway safety, to promote sustainable travel, to ensure that adequate transport facilities are provided and to ensure adequate cycle storage provision in accordance with the NPPF, policies CS13, MSGP15 and MSGP48 of the Local Plan for Gateshead and the Council's Cycling Strategy.

23

The approved layout including the details approved under condition 22 shall be provided on site prior to the first occupation of the development hereby approved.

Reason

To ensure the safe and effective operation of the development in the interest of highway safety, to promote sustainable travel, to ensure that adequate transport facilities are provided and to ensure adequate cycle storage provision in accordance with the NPPF, policies CS13, MSGP15 and MSGP48 of the Local Plan for Gateshead and the Council's Cycling Strategy.

24

Prior to the installation of any new external lighting associated with the development hereby approved an external lighting strategy for the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to roosting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

25

The external lighting installed at the development hereby approved shall be in accordance with the lighting strategy approved under condition 24.

Reason

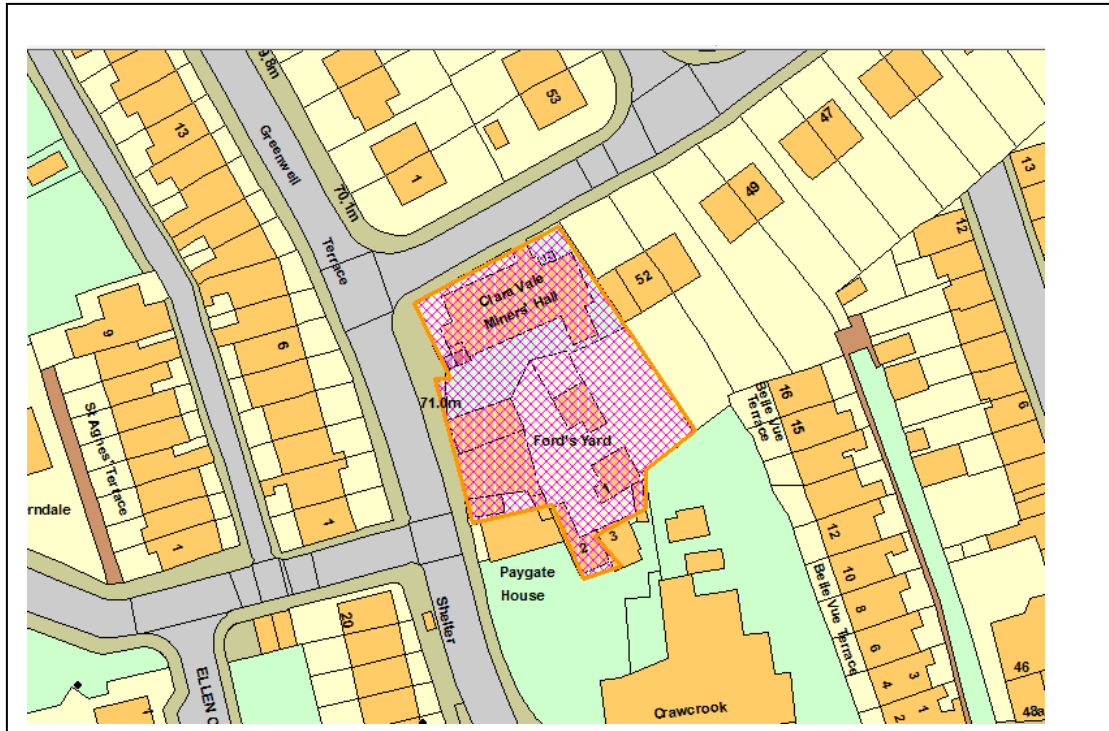
To prevent harm to roosting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

26

Prior to the first occupation of any dwelling hereby approved 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 shall be 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 for Gateshead.



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REPORT NO 3

Committee Report

Application No:	DC/22/01326/FUL
Case Officer	Tracy Long
Date Application Valid	29 November 2022
Applicant	Vistry Partnerships
Site:	Hookergate School Spenn Lane High Spenn Rowlands Gill Gateshead NE39 2BX
Ward:	Winlaton And High Spenn
Proposal:	Demolition of former Hookergate Secondary School and construction of 49 residential units and associated highways and drainage infrastructure. Units consisting of 13no, 3-bedroom dwellings, 24no, 4-bedroom & 12no, 5-bedroom, semi-detached and detached dwellings (amended plans and information received 20 Feb 2023).
Recommendation:	GRANT SUBJECT TO REFERRAL TO SECRETARY OF STATE
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF APPLICATION SITE

1.2 The application site comprises the former Hookergate Secondary School and grounds and part of the adjacent playing field area to the south and east of the school site. The majority of the application site currently contains the buildings of the former school and large areas of hardstanding. The school closed in 2012 and the playing fields have not been used since the school closed. The site has since been used on an adhoc basis for filming by the BBC.

1.3 The site is located to the southeast of the settlement of High Spenn. The site topography slopes towards the south and east of the site. The site is surrounded by open playing fields to the south and east, woodland and Spenn Banks local wildlife site to the north, with Spenn Lane and further fields to the west.

1.4 In the Making Spaces for Growing Places Document (MSGP) which is part of the Council's Local Plan, the former school buildings and associated hardstanding areas and tennis courts, are an allocated housing site for up to 50 houses under policy MSGP9 reference MSGP9.94. The area to the south

and east of the allocated housing site is an area of playing field, where part of the playing fields to the east and south of the housing allocation are protected under policy MSGP.39 of the Council's Local Plan for outdoor sports facilities.

1.5 Within the Council's Local Plan, the school site and adjacent playing fields are both within the Green Belt, within a high/very high landscape sensitivity area. The MSGP (part 3 of the Local Plan) was adopted on 20 January 2021.

1.6 DESCRIPTION OF APPLICATION

1.7 This planning application seeks full planning permission for the demolition of all the existing school buildings on the site and the erection of 49 houses (ranging from 3-5 bedrooms) with access, landscaping, sustainable drainage and associated infrastructure. Vehicle access to the housing development will be provided by a single access point off Spen Lane to the west of the site.

1.8 It is proposed that the development is brought forward by Gateshead Regeneration Partnership (GRP) – a joint venture initiative between Gateshead Council, Vistry and the Home Group, to deliver homes on sites that would previously have been difficult to deliver in terms of site constraints and/or viability issues.

1.9 The application has been submitted with the following supporting information:

- Application Form
- CIL Application Form
- Planning Statement
- Green Belt Assessment
- Arboricultural Impact Assessment (AIA)
- Bat Report
- Ecological Impact Assessment (ECIA)
- Biodiversity Net Gain Assessment (BNG)
- Invasive Species Management Plan
- Geo-environmental Appraisal (ground conditions)
- Ground Gas Risk Assessment
- Mines and Minerals Statement
- Flood Risk Assessment
- Drainage Strategy
- Playing Fields Statement
- Design and Access Statement
- NDSS Assessment (Nationally Described Space Standards)
- Affordable Housing Statement
- Noise Assessment
- Transport Statement
- Travel Plan
- Proposed Cycle Storage Details
- Existing and proposed plans including proposed landscaped drawings

1.10 AMENDED PLANS / DOCUMENTS 20 Feb 2023

1.11 Amended plans and documents were submitted on 20 February 2023. The amended / additional documents relate to flood risk, drainage, ecology, transport, trees and noise. Amended plans have been submitted which show a number of changes to the layout of the proposed housing site, including a road widening along the frontage of the site. However, the principle of the development relating to the proposed demolition of the existing school buildings and the erection of 49 houses on the site remains the same.

1.12 RELEVANT PLANNING HISTORY

1.13 There have been several applications on this site relating to the previous school use. However, Officers consider that none of these previous applications are relevant to the consideration of this planning application.

2.0 Consultation Responses:

Archaeologist	The site has low archaeological potential.
Coal Authority	No objection subject to conditions.
Environment Agency	Advised they did not need to be consulted as there are no Environment Agency constraints.
Fire Authority	No objection.
Forestry England	Require clear road access along Spen Lane past the site to periodically manage the adjacent Spen Bank forest.
Northern Gas Networks	No objection
Northumbria Police	The design is adequate from a crime prevention perspective.
Northumbrian Water	No objection subject to conditions to control the drainage scheme.
Natural England	No objection.
Nexus	Made comments to ensure that sustainable transport is more accessible at the site including the provision of a bus stop/shelter on School Lane, upgrades to active travel within the immediate vicinity of the site and travel information for the new residents.
Sport England	OBJECTS as the proposal impacts on the playing field directly and indirectly.

3.0 Representations:

- 3.1 On 1st December 2022 the Council sent letters to 42 properties surrounding the site. In addition 14 site notices were displayed in the surrounding area on 2nd December 2022. A notice also appeared in the Newcastle Journal on the 7th December 2022.
- 3.2 26 letters of representation were received from surrounding residents:
- 24 objections
 - 2 comments neither objecting or supporting
- 3.3 On 20th February 2023 amended plans and documents were received. On 22nd February 2023 the Council sent further letters to all the neighbours originally consulted as well as all those who previously made comments on the planning application – giving interested people until 8 March 2023 to make comments on the amended plans and information should they wish to do so.
- 3.4 4 letters of objection were received from local residents in response to this additional publicity.
- 3.5 In total 30 letters of representation have been received from surrounding residents in respect of this application:
- 28 objections
 - 2 comments neither objecting or supporting
- 3.6 The objections and comments are summarised below:

Principle of Development

- there is no need for more housing
- lack of amenities/facilities/ infrastructure to accommodate more housing
- no social housing is being provided locally on this site for local people

Green Belt

- infringement / impact on the Green Belt
- is this good use of Green Belt land

Ecology / Trees

- impact on the local wildlife
- loss of trees
- the surrounding woods and fields will become a general playground

Highways, Access, Parking

- the TS is strewn with errors/omissions and does not reflect local knowledge
- the traffic flows in the submitted documents are not realistic
- environmental damage cause by vehicles
- road system is inadequate, will prejudice highway safety
- increase in traffic / congestion
- ongoing pressure to roads / highway
- roads to and from development too narrow
- School Lane isn't suitable for extra traffic
- no pavements on the roads / harm to pedestrian safety
- a footway or cycle path should be provided on Spen Lane
- inconvenience for pedestrians
- speed calming / reduction measures necessary
- bus connections and public transport is poor
- the roads in the village are in a state of disrepair
- loss of access rights (one objector states that they have an established and long standing legal right of access to fields through the site)
- should ban HGV's from using Spen Lane

Flood Risk / Drainage

- there is not adequate sewage facilities to accommodate more housing
- possible flooding as green area covered by concrete

Residential Amenity

- harm to residents living conditions
- noise and pollution of the development
- disturbance early mornings / late evenings
- loss of natural light
- loss of privacy
- concern over health issues
- light pollution for existing surrounding residents

Design / Heritage

- overbearing development
- overdevelopment
- out of character with the Conservation Area
- out of character with the street scene
- dominating nearby buildings
- poor relationship with adjoining buildings
- visually damaging in the landscape / setting
- conflict with the pattern of development
- shame for the school buildings to be demolished
- loosing historic street pattern

- loss of open spaces
- why is the play area only indicative

Other Issues

- lack of consultation, lack of information
- the proposal will attract potential vandals
- trespass, arson and criminal damage
- crime rates have been rising in the area
- current ongoing anti social behaviour
- the telephone reception is poor/ internet connection is slow
- there are frequent power cuts
- value of property will go down
- adverse affect on the rural economy
- adverse affect on economy / businesses
- loss of employment
- failing to meet housing needs
- creating imbalance between jobs and homes
- better alternative sites available
- threat to viability / vitality of town centre
- should be used as an academy or sports college
- the site should be used for something to benefit the village
- shocked that the intention is to build houses only for the Jewish community
- what has the Hyde Park development got to do with this village
- the profits from the development should be invested into High Sen village not the Hyde Park development

3.7 Of the representations which neither supports nor objects state that:

- the principle of the development is supported
- will bring high quality homes to the local area but 49 homes is excessive

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS19 Green Belt

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

MSGP29 Flood Risk Management

MSGP32 Maintain/Protect/Enhance Green Infrast.

MSGP33 Countryside/Landscape Protection

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP39 Protecting Open Space/Sport/Recreation

MSGP40 Provide/Enhance Open Space/Sport/Rec

MSGP48 Waste Management Facilities - New Dev

- 4.1 The policies within the Core Strategy (CS) and Making Spaces for Growing Places (MSGP) documents form part of the Local Plan for Gateshead (parts 1 and 3). The Core Strategy and Urban Core Plan (CSUCP) document was adopted on 26 March 2015 and form parts 1 and 2 of the Local Plan. The MSGP was adopted on 20 January 2021 and forms part 3 of the Local Plan. The MSGP had a submission Draft Plan which was published for consultation for 6 weeks from 29th October until 9 December 2018. The MSGP was submitted for inspection for the Secretary of State on 12 April 2019. An examination in public was held between 1 and 11th October 2019, before the document was adopted in January 2021.

5.0 Assessment of the Proposal:

5.1 The main planning issues are considered to be housing policy, visual amenity/design, residential amenity, highway safety, ecology, flood risk/drainage, ground conditions and impact on playing field / sports provision.

5.2 HOUSING POLICY

5.3 Housing Sites Allocation / Growth

5.4 The former school site (buildings, associated hardstanding and tennis courts) is allocated for housing (up to 50 houses) in Policy MSGP 9.94 of the Local Plan. This site therefore forms an important component to delivering the Council's housing requirements over the Local Plan period.

5.5 The Local Planning Authority can only demonstrate a 3.83 years supply of homes (as of March 2022) and only 87% in the Housing Delivery Test (2021 measurement). Without the houses on this allocated housing site being developed this figure would reduce to 3.76 years. The proposed development would provide 49 additional dwellings which would be a positive factor.

5.6 Range and Choice of Housing

5.7 Part 1 of policy CS11 of the Local Plan requires 60% of new private housing across the plan area to be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms.

5.8 The submitted house type schedule indicates that the scheme would contribute positively to meeting the above target, providing 13 3-bedroom dwellings, 24 4-bedroom dwellings and 12 5-bedroom dwellings.

5.9 Space Standards

5.10 Policy CS11(4) of the Local Plan requires adequate space inside and outside of the home to meet the needs of residents. Policy MSGP12 of the Local Plan sets out that new homes should be built in accordance with the Nationally Described Space Standards (NDSS).

5.11 A NDSS Assessment has been submitted as part of this planning application which confirms that all of the proposed house types meet the National Described Space Standards.

5.12 Accessible and Adaptable Dwellings

5.13 Policy CS11 of the Local Plan seeks to encourage the provision of Lifetime Homes and Wheelchair-Accessible Homes. Whilst there is no explicit requirement, any contribution would be welcomed.

5.14 Policy MSGP10 of the Local Plan relates to accessible and adaptable dwellings and requires 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. The applicant has confirmed that all of the proposed house types are M4(2) compliant.

5.15 Affordable housing

5.16 Policy CS11 of the Local Plan requires 15% affordable homes on all developments of 15 or more dwellings subject to development viability.

5.17 No affordable housing is to be provided as part of the proposed development on this site. The submitted Affordable Housing Statement explains that the proposed development is directly linked with a development at Hyde Park Street (planning application reference: DC/22/01114/FUL for 62 homes, which was approved on 21 December 2022), where 100% affordable housing will be delivered – all 62 units.

5.18 Council officers have taken the view that the proposed development does however assist in delivering the wider policy objectives of housing in general and providing affordable housing across a series of sites collectively, which might not otherwise be provided in Gateshead. This approach to the provision of affordable housing has also been accepted previously on other joint venture (JV) sites/development and is therefore considered to be appropriate.

5.19 GREEN BELT

5.20 A Green Belt Openness Assessment has been submitted as part of this planning application. The application site (the allocated housing site and adjacent playing field area) to the south and east are both within the Green Belt and an area of high / very high landscape sensitivity.

5.21 National Green Belt planning policy is contained in Section 13 of the National Planning Policy Framework (NPPF). Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green are their openness and their permanence.

5.22 Paragraph 138 of the NPPF explains that the Green Belt serves five purposes

- a- to check the unrestricted sprawl of large built up areas
- b- to prevent neighbouring towns merging into one another
- c- to assist in safeguarding the countryside from encroachment
- d- to preserve the setting and special character of historic towns and
- e- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 5.23 Paragraph 147 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.24 In setting out what is not inappropriate development in the Green Belt paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a- buildings for agriculture and forestry
 - b- the provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it
 - c- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
 - d- the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces
 - e- limited infilling in villages
 - f- limited affordable housing for local community needs under policies set out in the development plan
 - g- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the areas of the local planning authority
- 5.25 Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include item b which relates to engineering operations.
- 5.26 Council officers consider the allocated housing site to be previously developed land, where as set out in paragraph 147 (g) of the NPPF the limited infilling or partial or complete redevelopment which would not have a greater impact on the openness of the Green Belt than the existing development is not inappropriate development. Council officers are also of the opinion that the SuDs basin and associated drainage works, including the pumping

station, outside of the allocated housing site, within the adjacent playing field area comprises engineering operations which would not be inappropriate development provided these works preserve the openness of the Green Belt

- 5.27 Policy CS19 of the Local Plan for Gateshead states that Green Belt will be protected in line with the five purposes set out in the NPPF.
- 5.28 The submitted Green Belt Openness Assessment explains that openness in terms of the Green Belt (as interpreted by case law) has two separate components, a spatial component and a visual component. The spatial component is a consideration of the footprint of proposed development compared with the footprint of existing built form. The visual component however requires the likely visibility of the proposals from the wider Green Belt and from public viewpoints to be compared and contrasted with the baseline visibility of the site and site context.
- 5.29 The submitted report states that the residential development of the site would change the character of the site itself, changes to the immediate local landscape character would be limited and could over time enhance the local landscape character. The report further states that the buildings on site are of a substantial size and cover a sizeable part of the footprint of the site. The site area is however very contained in terms of views from publicly accessible viewpoints, particularly the wider Green Belt.
- 5.30 The report further considers that the changes to the existing available views from the demolition of the existing built form of the school and the construction of the new houses would result in the perception of a lowering and redistribution of built form. The existing large scale school building on the site would be replaced with smaller scale, domestic buildings distributed across the site area. The new housing development would include garden areas and areas of open space to the north and southeast.
- 5.31 Reference is made within this submitted report that the landscaping scheme proposed as part of the housing development could potentially enhance the perceived openness of the site. The planting proposals would also serve to integrate the proposal into the setting of the wider Green Belt.
- 5.32 The report states that the proposed development would introduce 49 houses over a footprint of 3,555m², which is smaller than the existing overall area of built development of 4,715m². The proposed built development will be spread evenly throughout the site which will ensure that the built form does not dominate the site and it is more open from a spatial perspective, particularly when compared to the block of existing school buildings on the site.
- 5.33 The submitted report concludes by stating that the existing and substantial buildings on site currently make a limited contribution to the spatial openness of the Green Belt in this location. This is to be replaced by built development on a smaller footprint, which is more evenly distributed on the site. The proposed built form will also be interspersed by areas of open space, SuDs and front and rear garden areas. The submitted report thereby concludes that

the proposed development would not have a greater impact on the openness of the Green Belt than the existing development.

5.34 Council officers agree with this Green Belt and landscape assessment and conclusion. It is therefore considered that the proposed development is appropriate development within the Green Belt which would not have a greater impact on the openness of the Green Belt or landscape than the existing development.

5.35 Overall it is therefore considered that the proposed development is acceptable from a Green Belt and landscape point of view and therefore accords with both national and local Green Belt and landscape planning policies.

5.36 IMPACT ON PLAYING FIELDS

5.37 Part of the red line application site boundary where the proposed SuDs basin, pumping station and landscape/ecology buffer is proposed to the east and south of the housing allocation is identified for outdoor sport comprising two adult and one youth football pitch in the Council local plan under policy MSGP 39.

5.38 National Planning Policy

5.39 Paragraph 99 of the NPPF states that :

5.40 Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

5.41 Local Planning Policy

5.42 Policy CS14 of the Council's Local Plan which relates to Wellbeing and Health states that the wellbeing and health of communities will be maintained and improved by:

1(v) promoting access for all to green spaces, sports facilities, play and recreation opportunities.

5.43 Policy CS18 of the Council's Local Plan which relates to Green Infrastructure and Natural Environment states in the accompanying text that policy CS18 intends to protect and enhance the Green infrastructure Network and natural

environment. This include the provision of adequate open space, sport and recreational facilities.

- 5.44 Policy CS18 states that a high quality and comprehensive framework of interconnected green infrastructure that offers ease of movement and an appealing natural environment for people and wildlife will be achieved by (5) protecting and enhancing open spaces, sport and creational facilities in accordance with agreed standards in line with National Policy
- 5.45 Policy MSGP 39 of the Council's Local plan which relates to protecting outdoor sports facilities states that open space, sports and recreational facilities will be protected to ensure they continue to meet quantitative and qualitative needs and to optimise the multifunctional benefits they can provide.
- 5.46 The policy also states that development or changes of use proposals that would result in the loss of open space, sports or recreational facilities will only be considered acceptable if the site can be demonstrated to be surplus to requirements, or if the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 5.47 Sub section (ii) of policy MSGP 39 states that sport 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.
- 5.48 Sport England Objection
- 5.49 Sport England have objected to this planning application as they consider that the proposed housing development impacts on the adjacent playing field directly and indirectly.
- 5.50 Firstly in terms of direct impact Sport England have stated that the proposed SuDs area is to be created on the playing field. Secondly in terms of indirect impact Sport England have stated that the demolition of the school and redevelopment of the site for housing will result in the loss of ancillary facilities such as parking, toilets and changing and equipment storage which helped the playing fields be used for sport.
- 5.51 Direct Impact
- 5.52 Sport England explain that in their view the proposed SuDs area leads to the loss of the playing field.
- 5.53 Indirect Impact
- 5.54 The second aspect of Sport England's objection relates to the redevelopment of the school buildings. Sport England have stated that when the whole site was in school use there was an interrelationship between the school buildings and the playing field. The playing field provided the pitches for school PE curriculum to be delivered whilst the school buildings provided the changing, toilets and car parking needed for curriculum and community users. The

management and maintenance of the playing fields as well as storage of equipment would have been at the school too.

5.55 Sport England state that the cessation of education use and redevelopment of the school's footprint means that all supporting elements for the playing field's continued use (which previously were associated with the school building) need to be re-established.

5.56 Sport England in their objection letter state that The Football Foundation have advised Sport England that:

“Clubs such as Winlaton Community Youth and Swalwell Juniors could potentially use the site. Durham FA has spoken with a local multi team club to get their input to potentially using this site in the future if it were to be made available and they have said they would, as they are desperate for more pitches.

Clubs in Gateshead are, many reluctantly and hesitantly, having to take on licence use and upkeep of Gateshead Council pitches. Many sites have poor quality and unusable / unsafe pavilion buildings which we would not recommend clubs take responsibility or liability for. The prospect of multi pitch site with suitable ancillary facilities would be attractive to most clubs in the area.”

5.57 Sport England have stated in their objection that they have repeatedly advised the Council of its opposition to the housing site being brought forward for development without the following matter being clarified:

- Where will football pitch users park
- Where will pitch users change or be able to access toilet facilities
- How will the pitches be maintained
- Where will equipment such as goals, nets, flags, cones and balls be kept
- When will pitches be brought into use

5.58 The objection from Sport England goes on to state that regrettably the Council has made no progress on these matters, and therefore the loss of the school buildings (and redevelopment of the site for housing) must be considered to prejudice the use of the playing field.

5.59 Sport England also raise concerns that the bringing of the housing development forward before the potential resumption of the playing fields and the development needed for them to function independently is likely to be problematic. Sport England state that experience from elsewhere suggest new residents are likely to consider the playing field as their open space and likely to be resistant to the noise disturbance and disruption associated with its formal sporting use.

- 5.59 Sport England have concluded their objection stating that they object to the application as they consider it does not accord with any of the exceptions to Sport England's Playing Field Policy or with paragraph 99 of the NPPF.
- 5.60 Secretary of State Referral
- 5.61 Sport England have also stated at the end of their objection that should the local planning authority be minded to grant planning permission, contrary to Sport England's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State via the Planning Casework Unit.
- 5.62 Planning Assessment
- 5.63 Sport England comment that there are clubs interested in using the playing fields. The Council is not aware of any requests from any organisation to use the pitches or bring them back into use since the school closed in 2012. The Council remains willing to work with any organisation that wishes to bring the playing fields back into use. The safeguarding of the site will be reassessed in an updated Playing Pitch Strategy which is due to be completed at the end of 2023, in association with Sport England.
- 5.64 The playing pitches are safeguarded from development in the short term under policy MSGP39 of the Council's Local Plan, until such a point as there is no evidence of unmet demand.
- 5.65 Direct Impact Objection
- 5.66 With regards to the proposed SUDS area it is not considered that this would reduce the site or prejudice the use of the 3 playing pitches in question which are allocated in the MSGP or listed in the Council's Playing Pitch Strategy (November 2016) which are to be safeguarded.
- 5.67 The allocation of the former school buildings and associated hardstanding areas for housing, and the separate designation of the area for outdoor sport means that they are designated for two separate land uses.
- 5.68 The land allocated for outdoor sport is owned by the Council and it has been demonstrated in an indicative layout in Appendix 1 of the submitted statement "Sustainable Drainage System on the former playing fields at Hookergate School" that there is sufficient land available for the SuDs and two adult and one youth football pitches (identified to be safeguarded in the Playing Pitch Strategy), vehicle and pedestrian access, car parking, changing room/ toilet facilities and storage for equipment.
- 5.69 This demonstrates how the SuDS and the demolition of the school buildings would not prejudice the use of 3 pitches allocated in the development plan and listed in the playing pitch strategy should they be identified as being required in the future.

5.70 Indirect Impact Objection

5.71 Sport England object to the loss of ancillary sporting facilities at the School. The Hookergate School site is allocated for residential development in the Council's Local Plan by policy MSGP9. There is no requirement in the allocated housing site policy MSGP9 that when the site is developed for housing that the adjacent playing fields should be brought back into use with ancillary facilities.

5.72 Sport England were consulted on such proposals in the MSGP prior to its submission for examination. It is relevant that Sport England did not make representations on the allocation of the Hookergate School site and any potential impacts to playing fields and facilities. Sport England did respond to policies contained in the Local Plan and commented on other specific housing allocations.

5.73 The MSGP (including the sites allocation) has been subject to an independent examination where the plan was found to be sound by the Inspector and then formally adopted in February 2021.

5.74 Bringing Playing Fields Into Use

5.75 Council officers have met with Sport England to discuss and understand their objection and to explore whether it is possible to address their objection. Sport England have advised that they may be willing to withdraw their objection subject to a planning condition which secures the adjacent playing fields being brought back into use.

5.76 Sport England have stated that the important triggers around the playing field being brought into active use would be :

1- Pitch Quality Assessment / ground condition report to establish the works needed to bring the pitches back to a playable standard, alongside site master planning of ancillary facilities needed to allow the playing field to function independently.

2- A delivery plan for implementation of the required works unless assessment work undertaken as part of the emerging Gateshead Playing Pitch Strategy shows that the site will not be used.

3- The playing pitches being brought into use

5.77 Sport England have stated that they would like to see the first two matters secured before commencement of dwelling construction. Sport England have also suggested that they would like to see the pitches brought into use prior to the occupation of the 26th dwelling (halfway point of the dwelling build out).

5.78 To enable Sport England to withdraw their objection, Council officers have reviewed and considered the suggested approach outlined above by Sport

England. However, Council officers do not consider that the proposed development compromises or prejudices the use of the adjacent sport pitches or that the safeguarding of the pitches is being compromised by the proposed development. Therefore, on this basis the above suggestion is considered not to meet the tests for planning conditions.

- 5.79 Paragraph 56 of the NPPF states that planning conditions should only be imposed where they are necessary, relevant, enforceable, precise and reasonable in all other aspects.
- 5.80 It is clear from the submitted statement “Sustainable Drainage System on the former playing fields at Hookergate School” that the proposed SuDs and the demolition of the school would not prejudice the use of the 3 playing pitches allocated in the Council’s Local Plan and listed in the Playing Field Strategy.
- 5.81 With this in mind, a suggested condition requiring the sports pitches to be brought back into use with replacement ancillary facilities for the playing fields is not considered necessary to make the planning application acceptable in planning terms and therefore fails the condition tests set out in the NPPF.
- 5.82 Furthermore, Council officers consider that such a condition would be unreasonable because the land in question required to bring the sport pitches into use is outside of the red line application site boundary and outside of the applicant’s control. The Council own the adjacent land and therefore cannot enter into a S106 legal agreement with itself.
- 5.83 Therefore to conclude Council officers are of the opinion that the proposed development does not result in the loss of land allocated for outdoor sports in the MSGP and it has been demonstrated how they would be protected and could be brought back into use with appropriate facilities, if required. For the reasons set out above it is considered by Council officers that there are no impacts relating to the playing field which would significantly and demonstrably outweigh the benefits of the proposed development.
- 5.84 Playing Field Conclusion
- 5.85 When assessing the proposed development against the adopted development plan, policy MSGP39 states that open space, sports and recreational facilities will be protected to ensure that they continue to meet quantitative and qualitative needs, and to optimise the multifunctional benefits they can provide. The proposed application does not result in the loss of land allocated for outdoor sports in the MSGP and it has been demonstrated how they would be protected and could be brought back into use with appropriate facilities.
- 5.86 The MSGP and the allocation of the former Hookergate School site has gone through an independent examination and the plan found to be sound.
- 5.87 For the reasons set out above it is considered by Council officers that there are no impacts relating to the playing field which would significantly and demonstrably outweigh the benefits of the proposed development.

- 5.88 The proposed development shows that should the adjacent playing field be brought back into use by another party, there is sufficient land available for the Suds, pumping station and landscape / ecology buffer and the two adult and one youth pitches, plus land for vehicle and pedestrian access, car parking, changing room / toilet facilities and storage for equipment.
- 5.89 It is therefore considered that the proposed development is not prejudicial to the future use of the adjacent playing fields, or its ability to operate as a stand alone community use facility. Notwithstanding the objection from Sport England, Council officers are therefore of the view that the proposed development still safeguards the adjacent playing fields for future use if required and that the proposed development would not prejudice this future use.

5.90 HERITAGE ISSUES

- 5.91 The Hookergate School buildings are not listed or locally listed buildings. The site is also not located within a Conservation Area. Given that the buildings are currently vacant and disused and have no formally identified heritage significance Council officers have no objection to the demolition of the existing buildings.
- 5.92 Historic England contacted the Council in early December 2022 to advise that they had received a listing application for the buildings on the site. Historic England have therefore carried out an initial assessment to consider whether the school buildings should be added to the List of Buildings of Special Architectural or Historic Interest.
- 5.93 The Council were advised on 9 March 2023 that the Secretary of State for Culture, Media and Sport has decided not to add the site to the list at this time.

5.93 ARCHAEOLOGY

- 5.94 The Historic Ordnance Survey maps show that the site was in agricultural use and undeveloped until the school was built in 1932. The Council's Archaeologist has advised that Hookergate School itself is considered to be a utilitarian group of buildings. Whilst they clearly served the community well during the lifetime of the school, they are considered to have no architectural merit or interest.
- 5.95 The site is therefore considered to have low archaeological potential. The school itself is not considered to be of sufficient interest to merit archaeological building recording prior to its demolition.
- 5.96 It is therefore considered that the proposed development raises no archaeological issues and accords with the archaeology aims and objectives of both national and local planning policy.

5.97 TRANSPORT

5.98 A revised Transport Statement and revised Travel Plan were submitted on 20 February 2023.

5.99 Traffic Generation

5.100 The submitted revised Transport Statement includes a section on trip generation and explains that a trip generation analysis has been undertaken to consider whether the proposed development would raise any concerns in terms of capacity on the local highway and transport network.

5.101 The Transport Statement concludes that the predicted vehicle movements would not have a significant impact on the operation or safety of the surrounding highway and transportation network. Council officers agree with this conclusion.

5.102 Access Arrangements

5.103 Vehicle access to the site would be via a new proposed junction from Spen Lane along the western boundary of the site. The amended plans submitted on 20 February 2023 show the proposed widening of Spen Lane along the full frontage of the housing site to include a 5.5 metres carriageway and a 2metre footpath on the eastern boundary of the carriageway.

5.104 Pedestrian access to the site is proposed at the following four locations:

- the north east corner of the site adjacent to the playing field area to the east
- the south east corner of the site adjacent to the playing field area to the south east
- at the new vehicle access off Spen Lane along the western boundary of the site
- the north west corner of the site adjacent the junction with Spen Lane and School Lane.

5.105 Car Parking

5.106 The submitted revised Transport Statement explains that there is a total of 99 residential parking spaces proposed broken down as follows:

- 13 plots with a double driveway = 26 spaces
- plots with an integral garage and single driveway = 10.5 spaces
- 10 plots with a single garage and single driveway = 15 spaces
- 12 plots with a single garage and double driveway = 30 spaces
- plots with a double garage and double driveway = 17.5 spaces.

- 5.107 There are also a total of 14 visitor car parking spaces within the highway that are distributed across the housing site layout.
- 5.108 The submitted revised Transport Statement explains that including the garages the proposed development exceeds the maximum threshold in the Council's standards for residential parking by one space, whilst visitor parking spaces is between the Council's minimum and maximum standard. Therefore, on balance Council officers are of the opinion that an appropriate number of car parking spaces have been provided for the development.
- 5.109 Electric Vehicle Charging
- 5.110 The submitted Transport Statement explains that each proposed house will be provided with an electric vehicle charging point. Planning conditions have been recommended to agree the details of the electric vehicle charging points to ensure that they are appropriate and require the provision of the charging points prior to the houses being occupied.
- 5.111 Cycle Parking
- 5.112 The proposed site layout shows that each house has space within its garden for a shed which would provide secure cycle parking. Details of the proposed shed and cycle parking facilities have been provided upfront as part of the planning application and are considered to be acceptable. A planning condition has been recommended to ensure that the cycle parking facilities are provided for each house.
- 5.113 Bin Storage / Collection
- 5.114 Each house has space within the rear garden area for 3 bins to be stored. Each housing plot also has access for the bins to be wheeled from the rear garden to the front of the property on bin collection day. The proposed housing layout would also allow vehicles to access the development and collect the bins.
- 5.115 Connectivity / Sustainable Travel Measures
- 5.116 NEXUS have been consulted and made comments to ensure that sustainable transport is more accessible at the site including the provision of a bus stop/shelter on School Lane, upgrades to active travel within the immediate vicinity of the site and travel information for the new residents. All of these issues can be dealt with by planning conditions.
- 5.117 Travel Plan
- 5.118 A revised Framework Travel Plan has been provided on 20 February 2023, which looks at ways of reducing the need to travel, especially by car and how to promote accessibility by all modes of travel in particular public transport, cycling and walking.

5.119 Council officers are of the opinion that further work is required to the submitted travel plan to ensure it is appropriate – which can be dealt with by a planning condition.

5.120 Outstanding Transport Issues

5.121 Council officers consider that further transport information and amendments are required including:

- The amended layout submitted on 20th February 2023 has severed direct pedestrian connectivity to the south west corner of the site (there is no longer a pedestrian connection between the proposed main entrance and the turning head outside plots 9-11). This is considered to be a step back for the design at the southern portion of the site has no desire line onto Spen Lane for pedestrians
- Linked to the above item a pedestrian link out of the south west corner of the site onto Spen Lane remains missing.
- Details relating to the 20mph zone within the housing site including final positions for raised plateaus / traffic calming features
- Changes are required to some of the proposed retaining structures within the site from a highway safety point of view.
- Final details required for the southern most termination point of the proposed carriageway widening and new footway to Spen Lane (to ensure the new layout ties into the existing rural lane in a safe manner)
- No clear list of sustainable travel measures have been submitted. Council officers consider the following measures should be considered and/or provided
 - a- a bus stop and shelter on School Lane or directly adjacent to the bus turning circle at the junction of Spen Lane and School Lane
 - b- the provision of a pedestrian crossing to the adjacent bus turning circle
 - c- the provision of a 20mph zone and/or traffic calming measures
 - d- the possible closure of Spen Lane to motorised vehicles and
 - e- the possible introduction of cycle lanes

5.122 It is considered that all of the above items could be considered and dealt with via planning conditions. Planning conditions have therefore been recommended to consider and address these outstanding issues to ensure

that the development is acceptable in transport terms and would accord with the transport aims and objectives of the NPPF and policies CS13, MSGP 14 and MSGP 15 of the local plan for Gateshead.

5.123 DESIGN

- 5.124 An updated Design and Access Statement was submitted on 20 February 2023.
- 5.125 The proposed development includes associated amenity space, an internal road network, parking arrangements and pedestrian links. The development comprises a mix of house types including 3, 4 and 5 bedroom houses through a variety of house type designs cross the site. A mixture of 2 storey and 2 storey with living accommodation in the roof, modern houses are proposed in detached and semi detached designs. The submitted Design and Access Statement explains that the proposed houses will constructed from a mixture of 2 red bricks and 1 buff brick. The houses will also incorporate white coloured UPVC windows and soffits/facias and black rain water goods. The main roof of the houses will be pitched construction with a mixture of 3 grey and red roof tiles.
- 5.126 The scale, layout and design of the proposed buildings are all considered to be appropriate for a new housing development. The development also includes public open space and landscaping which will provide attractive living spaces for future residents. An area of public open space is located in the centre of the development which creates a focal point and creates a pleasant setting.
- 5.127 Details relating to the proposed external materials and the proposed boundary treatment have been provided upfront as part of the planning application. The proposed external materials are considered to be acceptable.
- 5.128 Planning conditions have been recommended to ensure that the details of the external materials and boundary treatments are controlled in the interest of good design.
- 5.129 Subject to these planning conditions, the proposed development is considered to be acceptable from a design point of view and accords with the design aims and objectives of the NPPF and policies CS15 and MSGP24 of the Local Plan for Gateshead.

5.130 TREES / WOODLANDS

- 5.131 There are a number of trees within this site. There are also a number of trees and a hedge running along the western boundary of the site, along the site frontage, adjacent to the road. The trees on the site are not protected. They are not covered by a Tree Preservation Order (TPO) are not situated within a Conservation Area. There is a dense woodland immediately adjacent to the northern boundary of the site, which is designated as an Ancient Woodland and a Deciduous Woodland.

- 5.133 In terms of the trees on and around the site, a revised / updated Arboricultural Impact Assessment (AIA) was submitted on 20 February 2023. The AIA states that 8 individual trees (T1 – T8) which are located within the site, 4 groups of trees (G1, G2, G4 and G5) which are located within the site and along the site frontage, as well as most of the existing hedgerow along the site frontage will need to be removed to allow the proposed development.
- 5.134 There is no objection to the removal of these existing trees and hedges as detailed landscaping plans have been submitted upfront as part of this planning application. The submitted landscaping plans show an appropriate amount of replacement landscaping to be provided as part of the housing development, to mitigate the loss of the existing trees and hedges. However, Council officers are of the opinion that some changes are required to the proposed landscaping scheme to ensure that it is also appropriate from an ecology point of view. Planning conditions have been recommended to ensure that the landscaping scheme is provided on site and is appropriately maintained.
- 5.135 In term of the relationship between the development and the ancient woodland off site, a landscaped / ecological buffer of around 15 metres is proposed along the northern boundary, immediately adjacent to the ancient woodland to the north of the site. The buffer is required to protect the woodland by moving the development and associated activities away from the woodland. The revised AIA states that the majority of the existing fencing present along the northern boundary of the site will protect the majority of the trees within the Ancient Woodland. However, that larger trees that have root protection areas that overlap onto the site will require additional fencing or ground protection.
- 5.136 It is therefore considered that the proposed development would not result in a direct adverse impact on the adjacent Ancient Woodland to the north, given that a landscaped/ecology buffer has been incorporated into the housing site layout adjacent the woodland. In addition, conditions have been recommended to ensure that the existing trees adjacent the site are protected during the demolition and construction phases of the development.
- 5.137 Furthermore, Forestry England have been consulted about the planning application due to the adjacent ancient woodland to the north of the site. Forestry England have stated that they have no comments regarding the proposed development except that they still require access along Spen Lane in front of the site to gain access to the adjacent woodland. This development does not prevent access to the adjacent woodland. However, this information will be passed onto the developer as an informative.
- 5.138 Subject to these landscaping and tree related planning conditions the proposed development is considered acceptable in terms of impact on trees and would accord with the aims and objectives of the NPPF and policies CS18 and MSGP36 of the Council's Local Plan.

5.139 RESIDENTIAL AMENITY

5.140 Existing Residents

5.141 The site is located some distance away from any existing housing. The development is therefore unlikely to impact the living conditions of any existing residents in terms of loss of light / overshadowing, visual intrusion or overlooking / loss of privacy. Planning conditions have been recommended to approve a construction management plan which would control the days and hours of the demolition and construction works, to limit the impact that these works could have on the living conditions of surrounding residents.

5.142 Future Residents

5.143 The proposed site layout is considered to provide appropriate separation distances between the new houses to not result in an adverse impact on the living conditions of the future residents of the new houses through loss of light / overshadowing, visual intrusion or overlooking / loss of privacy.

5.144 An updated Noise Assessment along with a note considering the potential impact of any noise from the use of the adjacent playing fields to the east and south of the site on the future residents of the new housing development were submitted on 20 February 2023.

5.145 The updated Noise Assessment concludes that the site is acceptable from a noise perspective for residential development without the need for any specific noise mitigation measures. The Noise Assessment however acknowledges that there is a business called “Dog on the Tyne” to the west of the application site. This business provides daytime dog care in the fields in enclosed pen areas and has a shop which sells dog food, treats and associated goods.

5.146 Taking into account this adjacent business, the Noise Assessment recommends a scheme of glazing and acoustic ventilation be provided to the houses along the western boundary of the site as a precautionary approach. Planning conditions have therefore been recommended to approve the glazing and acoustic ventilation noise mitigation measures and their implementation in the interest of the living conditions of the future residents of the proposed housing.

5.147 Furthermore, the accompanying Noise Note examines the potential for the use of the adjacent playing fields to impact on the living conditions of the future residents of the new housing. The note concludes that as a result of the likely position of any new sport pitches that may be brought back into use in the future, the likely hours of use and the landscaping and boundary treatment provided as part of the proposed housing development, that the use of the adjacent playing field area is unlikely to have an unacceptable impact on the living conditions of the future residents.

- 5.148 However, taking into account the adjacent safeguarded playing fields, Council officers are of the opinion that a planning condition is required to provide noise mitigation measures for the proposed houses adjacent to the playing fields, to protect the living conditions of future residents from any noise and activity associated with bringing the playing fields back into use, as a precautionary approach. An informative is also being recommended by Council officers advising that the marketing information and any welcome pack for new residents should advise and clearly state/show that the adjacent playing fields are safeguarded for outdoor sport and could be brought back into use in the future if needed as sport pitches with associated ancillary facilities.
- 5.149 Subject to the above planning conditions and informative, the proposed development is considered to be acceptable from a residential amenity point of view and would accord with the aims and objectives of the NPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.150 ECOLOGY

- 5.151 Revised ecology information has been submitted as part of the planning application on 20 February 2023. Council officers are of the opinion that the submitted ecology information allows for an adequate assessment to be made of the likely impacts of the proposed development on biodiversity and ecological connectivity.
- 5.152 The submitted bat survey identifies the presence of bats within some of the former school buildings on the site. Due to the presence of bats no demolition works should be undertaken in relation to 6 of the 7 buildings on the site (buildings 1-6 identified in the revised Bat Survey dated Feb 2023) during the bat hibernation period (November to March inclusive), which can be controlled through a planning condition.
- 5.153 The submitted revised Ecological Impact Assessment (Feb 2023) also identifies that an appropriate Natural England licence will be required if planning permission is approved to demolish the existing school buildings containing the bats / bat roosts.
- 5.154 The demolition and construction phases of this development have the potential to impact on protected / priority species on the site and in the area. A planning condition has therefore been recommended for a Construction Ecology Management Plan to be approved before any works commence on site, including demolition, to ensure that any impacts on ecology in the area can be avoided and/or mitigated.
- 5.155 A Biodiversity Net Gain (BNG) Assessment has been submitted as part of this planning application. This BNG Assessment states that the baseline habitats on site provide a total of 13.58 habitats units and 0.24 hedgerow units. The BNG Assessment then goes on to state that the habitats on site post development provide a total of 15.65 habitat units and 0.54 hedgerow units. The Assessment concludes that this leads to a net habitat unit change of

+2.07 equating to 15.21% net gain and a net hedgerow unit change of 0.30 equating to a 123.15% net gain.

5.156 Council officers however consider that further information is required to ensure that all elements of the proposed /post development, enhancement /ecological mitigation and Biodiversity Net Gain (BNG) measures are appropriate and deliverable. Council officers are of the opinion that this could be dealt with by planning conditions which would allow for further detail, discussion and agreement to be achieved in relation to these outstanding ecology issues, including where appropriate and necessary the provision of off site BNG measures.

5.157 Planning conditions have therefore been recommended relating to:

- A construction ecological management plan tba and implemented
- Revised landscape and ecology design strategy tba and implemented
- Revised landscape and ecology management plan tba and implemented
- Biodiversity net gain assessment and delivery plan tba and implemented
- External lighting strategy tba and implemented
- Boundary treatments tba and implemented
- Details bird / bat boxes tba and implemented

5.158 Natural England have been consulted and have confirmed that they have no objection to the proposed development.

5.159 Subject to the recommended ecology related planning conditions, Council officers are of the opinion that the proposal would not cause unacceptable harm to ecology and would comply with the ecology aims and objectives of the NPPF and policies CS18, MSGP36 and MSGP37 of the Council's Local Plan.

5.160 FLOOD RISK / DRAINAGE

5.161 Flood Risk

5.162 A Flood Risk Assessment (FRA) and an updated Drainage Strategy / Drainage Management Plan were submitted on 20 February 2023.

5.163 The site is located within Flood Zones 1 on the Environment Agency's flood maps. Flood zone 1 is a low flood risk area. The proposed development is considered to be an appropriate use within flood zone 1.

5.164 Drainage

5.165 With regards to drainage, the submitted revised Drainage Strategy February 2023 explains that the surface water from the development will discharge into a new SuDs basin located on the adjacent playing field area to the south east

of the proposed houses, which will discharge into the existing watercourse by way of an existing private surface water pipe. The submitted Drainage Strategy further states that the Low Spen Burn is located around 850m to the south east of the site with a tributary of the Low Spen Burn located 115m to the east. The development is within the natural catchment of the watercourse. The Drainage Strategy states that there is an existing manhole with associated pipework flowing into the tributary.

- 5.166 The submitted revised Drainage Strategy February 2023 explains that the foul water from the development will discharge into an existing Northumbrian Water sewer to the south of the development, via a new pumping station that will be provided as part of the proposed development. The pumping station is positioned to the south of the proposed houses within the adjacent playing field area.
- 5.167 The revised Drainage Strategy February 2023 also explains that the main surface water and foul water network is proposed to be adopted by Northumbrian Water. However the SuDs basin that serves the development will be maintained by a private management company.
- 5.168 Council officers consider that the flood risk and drainage information submitted as part of this application demonstrates that there is sufficient space within the site to provide a suitable drainage system for the development. However, planning conditions are recommended to ensure detailed drainage designs are submitted for approval.
- 5.169 A Drainage Management Plan has also been submitted as part of this planning application. However, Council officers are of the opinion that a revised Drainage Management Plan will be required to ensure that this document is appropriate – which can be dealt with through a planning condition.
- 5.170 Northumbrian Water have been consulted and have confirmed during the first round of consultations that they have no objection to the proposed development and intended drainage strategy, subject to a planning condition which approves and control the final drainage design. Northumbrian Water were re-consulted regarding the revised Drainage Strategy submitted in February 2023 and confirmed that their original response still stands.
- 5.171 Planning conditions have therefore been recommended to approve the final detail of both the foul and surface water drainage systems, including the pumping station, as well as a drainage management plan.
- 5.172 Subject to these conditions, the development is considered to be acceptable from a flood risk and drainage point of view and would accords with the flood risk and drainage aims and objectives of the NPPF and policies CS17 and MSGP 29 of the local plan for Gateshead.

5.173 POTENTIAL FOR CONTAMINATED LAND

- 5.174 The site is situated on potentially contaminated land based on previous historic uses. It is therefore possible that the development area may be affected by ground contamination. A preliminary risk assessment relating to ground conditions as well as a land gas assessment have been submitted as part of this planning application.
- 5.175 Council officers are of the opinion that additional site investigations will be required to fully characterise the whole site after the existing buildings have been demolished to determine the ground conditions and to devise a suitable detailed remediation strategy so that any contamination is dealt with in an appropriate manner.
- 5.176 The submitted land gas assessment concludes that there is a very low potential risk from ground gas and that no specific ground gas protection measures are considered necessary. Council officers agree and accept the findings of this report.
- 5.177 Planning conditions have therefore been recommended requiring further site investigations with a Phase II detailed risk assessment and where required that remediation, monitoring and verification reports are carried out. Subject to these planning conditions the development is considered to be acceptable in terms of contaminated land and accords with the aims and objectives of the NPPF and policies CS14 and MSGP20 of the Council's Local Plan.

5.178 COAL MINING LEGACY ISSUES

- 5.179 The application site is within a Coal Authority defined "Development High Risk Area" (formerly known as Coal Mining Development Referral Areas). Therefore within the site and surrounding area there are coal mining features and hazards which need to be considered.
- 5.180 A Coal Mining Risk Assessment Report (CMRA) has been submitted as part of this planning application. This report considers that there is a low to moderate risk of coal mining affecting surface stability at the site. The report recommends that an additional ground investigation with rotary boreholes is undertaken to investigate the potential presence of unrecorded working within the underlying Victoria coal seam.
- 5.181 The Coal Authority concur with this recommendation of the submitted Coal Mining Risk Assessment – that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development, in order to establish the exact situation regarding coal mining legacy issues at the site and inform any remedial works and /or mitigation that may be necessary.
- 5.182 The Coal Authority therefore has no objection to the development subject to planning conditions which require the further site investigations and any remedial works and /or mitigation that may be required, prior to the commencement of development.

5.183 Planning conditions have therefore been recommended to require the further site investigation works and any necessary remediation measures.

5.184 Subject to these planning conditions it is considered that the proposed development would not be at risk from past coal mining in the area and would accord with the aims and objectives of the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.185 DIGITAL INFRASTRUCTURE

5.186 Policy MSGP8 of the Local Plan relates to digital infrastructure and states that the necessary physical infrastructure to enable access to information and digital communication network will be integrated into all appropriate new developments.

5.187 The accompanying text explains 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. No information has been provided as part of the planning application relating to digital infrastructure.

5.188 A planning condition has therefore been recommended to address this issue.

5.189 OPEN SPACE / PLAY PROVISION

5.190 Open Space

5.191 The site is in a ward which is not deficient in open space, and the Council's relevant accessibility standards as set out in policy MSGP 40 of the Local Plan are also met given the location of nearby areas of public open space. Therefore, there is no policy requirement for this development to provide public open space.

5.192 Children's Play Space

5.193 Within the Winlaton and High Spennard ward there is a deficiency of play space, Policy MSGP40.1b of the Local Plan requires the provision of play facilities to the equivalent of 0.07ha per 1,000 residents, therefore there is a requirement for approximately 132sqm of play space when calculated using the Council's play space standard.

5.194 The area of open space proposed as part of the housing layout does not show children's play equipment. However, given the quantity of open space provision provided within this scheme, it should be feasible to accommodate an area of informal play equipment. A planning condition has been recommended to seek the approval and provision of children's play equipment (albeit informal) as part of the development.

5.195 Therefore to conclude Council officers are of the opinion that the proposed development does not result in the loss of land allocated for outdoor sports in the MSGP and it has been demonstrated how they would be protected and could be brought back into use with appropriate facilities, if required. For the reasons set out above it is considered by Council officers that there are no impacts relating to the playing field which would significantly and demonstrably outweigh the benefits of the proposed development.

5.196 COMMUNITY INFRASTRUCTURE LEVY

5.197 On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development. The site is located within CIL Residential Zone A where there is a levy of £60 per square metre of additional floor area for this type of development.

5.198 This may therefore result in a payment to the Council which could be used to help address strategic infrastructure requirements.

5.199 OTHER ISSUES

5.200 A number of issues have been raised by local residents which are not material planning considerations including - the loss of legal rights across the fields and site, the potential for trespass, arson and criminal damage and the impact on the value of property in the area.

5.201 Concerns have been raised that there is a lack of amenities / facilities and infrastructure to accommodate more housing. More housing is likely to bring more interest in the village from prospective businesses such as retailers and shopkeepers and hopefully encourage new amenities, facilities and infrastructure.

6.0 CONCLUSION

6.1 The majority of this site is allocated in the Council's Local Plan for residential development. Therefore the principle of developing this allocated housing site for housing is considered to be acceptable. The proposed development would provide 49 additional dwellings which would be a positive factor.

6.2 The development has been assessed against national and local Green Belt policy. The submitted Green Belt Openness Assessment demonstrates that the proposed development is appropriate development within the Green Belt and would not give rise to harm to the Green Belt.

6.3 Whilst Sport England have objected to the proposed development, it is considered that the proposed development is not prejudicial to the future use of the adjacent playing fields, or its ability to operate as a stand alone community use facility. Notwithstanding the objection from Sport England,

Council officers are therefore of the view that the proposed development still safeguards the adjacent playing fields for future use if required and that the proposed development would not prejudice this future use.

- 6.4 Given that the proposed development would not cause any demonstrable harm to the Green Belt or impact on the potential to bring the adjacent playing field back into use, if required, Council officers are therefore of the opinion that weight should be given to the delivery and supply of housing on this allocated housing site.
- 6.5 It is therefore considered that the development would bring about a number of benefits such as the provision of additional family housing in Gateshead and the housing growth required in the Local Plan. The development would also have economic benefits during the construction period and beyond.
- 6.6 It is acknowledged that the development would have some impact on ecology. Further information and / or amendments are also considered necessary to address outstanding transport, ecology and drainage issues. However, Council officers consider that these impacts and further information / amended plans can be adequately mitigated and controlled/provided through planning conditions.
- 6.7 Taking all the relevant issues into account, including the comments made by consultees and local residents, including the objection by Sport England, it is considered that the proposed development is acceptable, subject to planning conditions and accords with the aims and objectives of both national and local planning policies.
- 6.8 It is therefore recommended that planning permission be granted subject to the conditions below.
- 6.9 A full list of conditions will be circulated in a written update.

7.0 Recommendation:

- 7.1 It is therefore recommended that planning permission be granted subject to referral to the Secretary of State and subject to planning conditions, and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, delete, vary and finalise the wording of the planning conditions (set out below as headings) as necessary.
- 7.2 If Members are minded to approve this planning application, it would need to be referred to the Secretary of State, via the Planning Casework Unit for consideration because Sport England have objected to the planning application and the land which is part of the application is local authority land.

STANDARD CONDITIONS

- List of approved plans

-
- 3 year time limit to implement

PRIOR TO COMMENCEMENT CONDITIONS

- Tree protection measures to be implemented
- Drainage investigation / survey works
- Demolition /construction management plan tba and implemented
- Demolition / Construction days/times

GROUND CONDITION CONDITIONS

- Coal mining investigations and remediation measures tba and implemented
- Further site investigation tba and implemented
- Remediation measures tba and implemented
- Verification report to confirm remediation measures

DRAINAGE CONDITIONS

- Drainage scheme tba and implemented
- Details of pumping station tba and implemented
- Drainage management plan tba and implemented

TRANSPORT CONDITIONS

- Retaining wall and structures tba and implemented
- Access / pedestrian connectivity to the sw corner of the site tba and implemented
- Final details of the southern most termination point of the proposed carriageway widening and new footway to Spen lane tba and implemented
- 20mph zone within the site tba and implemented (including final details for positioning of raised plateaus / traffic calming within the site)

- Electric vehicle charging details tba and implemented
- Cycle parking to be implemented
- Sustainable travel measures / improvements tba and implemented including
 - a- a bus stop and shelter on School Lane or directly adjacent to the bus turning circle at the junction of Spen Lane and School Lane
 - b- the provision of a pedestrian crossing to the adjacent bus turning circle
 - c- the provision of a 20mph zone and/or traffic calming measures
 - d- the possible closure of Spen Lane to motorised vehicles and
 - e- the possible introduction of cycle lanes
- Revised travel plan tba and implemented
- Removal of existing external highway features associated with the previous school

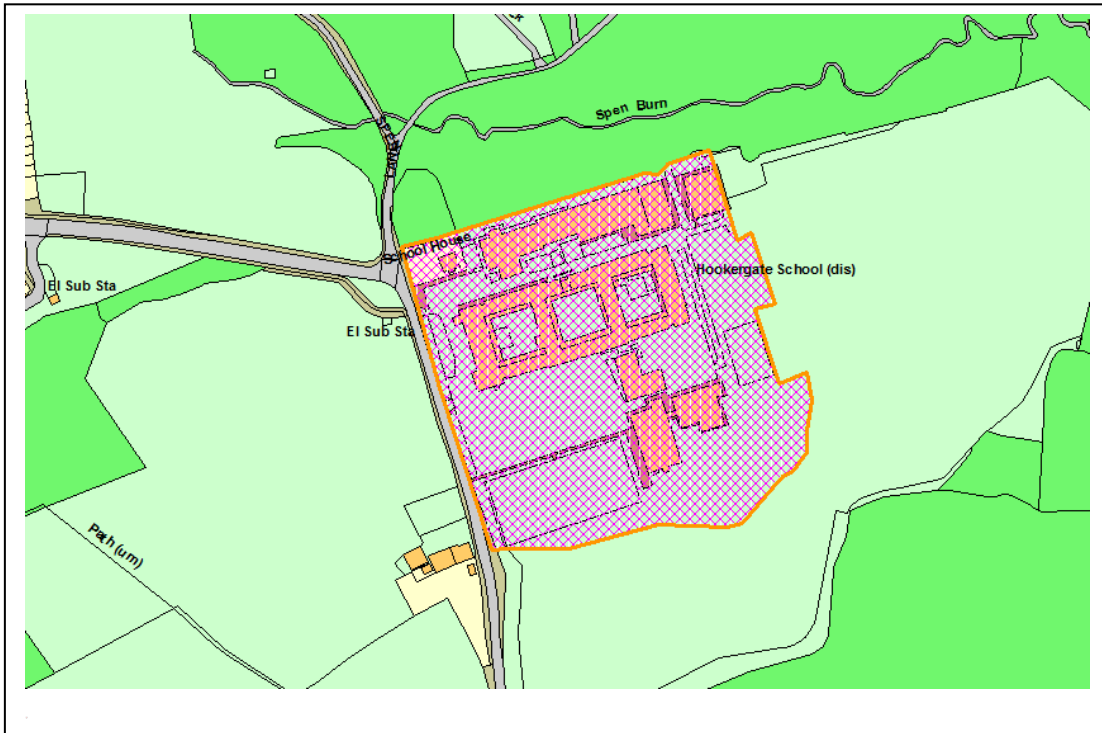
ECOLOGY CONDITIONS

- No demolition of buildings with risk of bats during Nov – March inclusive
- A construction ecological management plan tba and implemented
- Revised landscape and ecology design strategy tba and implemented
- Revised landscape and ecology management plan tba and implemented
- Biodiversity net gain assessment and delivery plan tba and implemented
- External lighting strategy tba and implemented
- Details bird/bat boxes tba and implemented

OTHER CONDITIONS

- External materials as submitted or otherwise approved
- Boundary treatment tba and implemented
- Noise mitigation measures tba and implemented
- Children’s play equipment tba and implemented

- Digital infrastructure details tba and implemented



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Committee Report

Application No:	DC/22/01337/FUL
Case Officer	Amy Williamson
Date Application Valid	7 December 2022
Applicant	Ask Patrizia
Site:	Land Bounded By Hawks Road To The North And Quarryfield Road To The West Gateshead Quays Gateshead
Ward:	Bridges
Proposal:	Erection of hotel and associated works (amended 05/01/23, 9/2/23, 13/2/23, 22/02/23, 23/02/23 and 07/03/23 and additional information received 23/02/23 and 07/03/23).
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:**1.1 BACKGROUND**

Planning permission DC/20/00323/FUL granted consent for erection of an indoor events arena, conference centre and dual branded hotel, with associated internal and external areas on 4 December 2020 at Gateshead Quays to the south of South Shore Road between the Sage Gateshead and Baltic Quay Apartments. This consent was subsequently implemented by carrying out enabling works on the site.

- 1.2 A Variation of Conditions application DC/21/01436/FUL was then approved on 18 March 2022, which included a series of minor material amendments to the scheme approved by planning permission DC/20/00323/FUL.
- 1.3 The current proposal seeks to relocate the hotel that was originally approved by the above planning permissions as part of the Quays Arena and Conference Centre development to a new detached, position within the Baltic Quarter on the southern side of Hawks Road. A further planning application for the revised Quays Arena and Conference Centre development, omitting the previously approved hotel, is intended to be submitted shortly. The revised proposals for the Quays Arena and Conference Centre development would include a linear park to the eastern side of the site replacing the previously approved hotel, together with some alterations to the layout and appearance of the buildings.
- 1.4 Nevertheless, despite the clearly stated intentions of the developer, should this application be granted, there would be permission for two hotels that could both (in theory) be built out. As such, this application has been considered as an additional rather than replacement hotel.

- 1.5 Previous planning approvals DC/20/00323/FUL and DC/21/01436/FUL included a series of conditions to agree details of and implement a package of transport and accessibility infrastructure improvements around the Quays area. In addition to this the Council are currently undertaking a series of highway works in the wider Quays area, including on Hawks Road to improve pedestrian and cyclist accessibility in the area.
- 1.6 Planning permissions DC/20/00698/FUL and DC/20/00694/FUL, granted consent in Autumn 2020 for a multi storey car park on Hawks Road and link road connecting Albany Road to the south with Hawks Road to the north. These developments are now substantially constructed and are key infrastructure to support the proposed Hotel, Quays Arena and Conference Centre and other development in the Quays and Baltic Quarter areas.
- 1.7 DESCRIPTION OF THE SITE**
The application site relates to a grassed, corner site bounded by Hawks Road to the north and Quarryfield Road to the west. The apex of the corner is bordered by the road junction of Hawks Road, Mill Road and Quarryfield Road which is controlled by traffic lights.
- 1.8 The recently constructed Riga office building lies immediately to the south and Gateshead College is situated on the opposite side of Quarryfield Road to the west. Other commercial buildings and car parking within Baltic Quarter lies to the south east. Gateshead Quays Multi Storey Car Park, which has recently been built, lies to the east of the application site on the opposite side of the access road into Baltic Quarter.
- 1.9 Land immediately to the north of the site on the opposite side of Hawks Road is allocated as a key site in the Core Strategy and Urban Core Plan (CSUCP) for office and leisure uses and has been subject to previous planning approvals for residential, hotel and serviced apartments uses.
- 1.10 The Gateshead Quays site, where the approved Arena and Conference Centre would be located, lies to the north west of the proposed Hotel site on the opposite side of Hawks Road.
- 1.11 The application site is currently grassed with no formal access. Hedging and low height birdsmouth fencing runs along the northern and western boundaries with Hawks Road and Quarryfield Road. Hedging also borders the site to the southern and eastern sides facing Baltic Quarter. Levels drop across the site from south to north and also from west to east.
- 1.12 There are existing signal controlled crossings on Quarryfield Road and Hawks Road at the junction of Hawks Road, Mill Road and Quarryfield Road. A pedestrian refuge is also located on Quarryfield Road around 45m to the south of the junction with Hawks Road.
- 1.13 The application site lies within the Baltic Quarter, which is allocated in the CSUCP as a key site in policy QB3 part 5 for Office, Hotel, Sport and Leisure,

Education and ancillary Retail uses subject to compliance with the criteria listed in the policy.

- 1.14 It is also within the Gateshead Newcastle Urban Core and is therefore subject to policy CS1 (Spatial Strategy for Sustainable Growth) of the CSUCP which prioritises the Urban Core as the location for major leisure, culture and tourism development. Policy CS2 (Spatial Strategy for the Urban Core) of the CSUCP requires development to maintain and enhance its vibrancy by supporting developments which enhance and diversify culture, leisure and tourism facilities.

1.15 DESCRIPTION OF THE APPLICATION

Planning permission is sought for erection of a dual branded hotel on the site, which would involve provision of 2 different hotel brands within the same building utilising a shared reception and ancillary facilities, such as a bar, restaurant, meeting rooms, gym and treatment rooms. The hotel would be 9 storeys in height accommodating 344 no. bedrooms. It would be arranged in an L shape, fronting on to Hawks Road and Quarryfield Road.

- 1.16 The eastern wing of the building, fronting Hawks Road, would predominantly be finished in light grey brick work, with dark grey/black brick detailing. The southern wing, fronting Quarryfield Road, would be in dark grey/black brickwork, with light grey detailing. The ground and first floor elements would be glazed incorporating aluminium panels. The north west corner of the building would have a cantilevered design, with light grey brick, glazing and aluminium panels sitting above the ground and first floors.
- 1.17 The entrance into the building would be located to the north east corner of the site immediately adjacent to the junction of Hawks Road, Quarryfield Road and Mill Road. This would be the main entrance used by hotel guests and visitors, other ancillary staff and emergency accesses would be located to the rear of the building to the southern and eastern elevations. There would be no dedicated vehicle access or parking facilities within the site for hotel guests and visitors. Any car borne guests or staff and visitors would be required to use the recently constructed Multi Storey Car Park located around 110m to the east of the hotel entrance or any other publicly available car parking.
- 1.18 A pick up and drop off facility for hotel guests would be provided off Quarryfield Road to the south west corner of the site. This would be in the form of a layby, operating on a one way basis, with space for one vehicle to pass another parked vehicle. It would not be a taxi rank and would be for pick up and drop off for vehicles.
- 1.19 A service yard would be provided to the rear of the building, which would be accessed via the existing private road leading into Baltic Quarter off Hawks Road. The service yard would be a wide hammerhead design accessed via a ramp sloping downwards from east to west into the service yard from the Baltic Quarter Access Road.

- 1.20 Hard and soft landscaping would be provided to all sides of the hotel building, including paved areas, external terraces and footways providing access and connectivity through the site. Planting of trees, hedging, small lawns, ornamental and herbaceous species is proposed to the north, south and eastern sides of the building. This would help to provide wind mitigation for strong gusts anticipated to the south western area of the site. A footpath link along the southern side of the building leading from Quarryfield Road to the Baltic Quarter is proposed and would include a new informal crossing on the internal access road within the Baltic Quarter.
- 1.21 SuDs features including a blue or green roof to the building, permeable paving, an attenuation tank and areas of landscaping to attenuate water above ground would be provided as part of the development. Below ground attenuation tanks are proposed beneath the rear service yard and a further small tank to the northern side of the building.
- 1.22 Amended plans were received on 23 February 2023 making the following changes to the proposed development:
- Relocation of the pick up/drop off facility to Quarryfield Road
 - Amended landscape design to Quarryfield Road to accommodate the pick up/ drop off facility, including the creation of a new stepped access route to the hotel reception, providing a more direct route to the main hotel entrance
 - Inclusion of covered and secure bicycle storage area as well as external cycle hoops
 - Minor adjustments to retaining walls to maximise footpath widths
 - Adjustments to tree numbers and positions to reflect amended layout
 - Inclusion of wind mitigation screens to Hawks Road
 - Plant screen extended to southern part of roof
 - General internal update to hotel room layout

1.23 PLANNING HISTORY

Current Application Site

1322/02 - Phased development of 50 Acres/20.2 Hectares of land to provide a business park (uses B1, B2) and ancillary uses (C1, A1, A2, A3 and D1) with associated access, landscaping and highway works (outline application but with full details of the Senitel Building) - Approved 3 March 2003

Other Relevant Planning History Within Vicinity of the Application Site

DC/20/00323/FUL - Erection of indoor events arena (use class D2), conference and exhibition centre including meeting rooms and associated facilities (use classes D1 and D2), dual branded hotel with roof top bar (use class C1), provision of retail and leisure floorspace (use classes A1, A3 and A4) and outside performance square with landscaping, public realm and infrastructure works as well as associated engineering operations, security measures and signalised crossing (additional information and amended plans received 15/09/20 and amended 12/10/20) - Approved 4 December 2020

20/00323/DOC1 - Discharge of conditions 3 (Construction Management Plan -- amended 09/03/21 (including CEMP), 5 (Archaeological Field Work), 8 (Land Contamination Assessment), and 59 (Construction Training Plan) of planning approval DC/20/00323/FUL (amended 19/08/21 and 06/12/2021) - Approved 7 December 2021

20/00323/DOC2 - Discharge of conditions 11 (Coal Mining Legacy) and 12 (Remediation Scheme) of planning approval DC/20/00323/FUL - Approved 9 July 2021

DC/21/01436/FUL - Variation of conditions 1 (approved plans); 43 (hotel materials); 44 (artwork opportunities); 48 (external lighting); 52 (wind mitigation); 56 (off site biodiversity); 65 (noise mitigation); and 67 (waiting restrictions) of planning permission DC/20/00323/FUL for erection of indoor events arena (use class D2), conference and exhibition centre including meeting rooms and associated facilities (use classes D1 and D2), dual branded hotel with roof top bar (use class C1), provision of retail and leisure floorspace (use classes A1, A3 and A4) and outside performance square with landscaping, public realm and infrastructure works as well as associated engineering operations, security measures and signalised crossing (additional information and amended plans received 15/09/20 and amended 12/10/20) - Approved 18 March 2022

DC/20/00694/FUL - Proposed link road, cycleway and footpaths connecting Hawks Road and Albany Road including provision of signalised junctions, landscaping and drainage - Approved 19 October 2020

DC/20/00698/FUL - Erection of a new ten-storey multi-storey car park, electricity substation and vehicular access including landscaping and other associated works (amended 09/10/20) - Approved 5 November 2020

DC/19/00785/FUL - Erection of building up to 20 storeys for hotel (202 rooms - use class C1) and 244 serviced apartments (use class C1), together with commercial units (use classes A1, A2, A3, A4 or B1), parking, landscaping and associated development (amended and additional information received 01.11.2019) - Approved 13.11.2019

2.0 Consultation Responses:

Northumbria Water Originally raised no objections subject to a condition requiring compliance with the submitted

	Flood Risk and Drainage Assessment. A reconsultation has been sent on revised drainage details received on 23 February, at the time of writing no further comments had been received.
Coal Authority	Raise no objections subject to conditions requiring intrusive site investigations and remediation and verification as necessary.
National Highways	Raise no objections subject to a condition for a Construction Environmental Management Plan (CEMP) including a Construction Traffic Management Plan (CTMP).
Newcastle Airport	Raise no objections subject to a condition to agree a crane method statement
Marine Management Organisation	Raise no objections, provide advice to the developer.
Northern Gas Networks	Raise no objections, provide advice to the developer on working in proximity to their apparatus.
Nexus	Welcomes the development of the hotel in an area with good local and regional transport links and associated infrastructure. Support the travel plan however, recommend this also be offered to guests to assist those that are unfamiliar with the area. Furthermore additional cycle storage provision is encouraged to support active travel choices and suggests the developer could promote public transport further to employees by meeting the cost of an introductory travel ticket.
Northumbria Police	Originally raised concerns about the proposed first floor layout which incorporated public elements of the hotel such as the gym and meeting rooms alongside hotel bedrooms. Following submission of an amended plan separating these features and confirmation an access control strategy will be adopted by the hotel operator, concerns have been addressed and no objections are raised.
Tyne And Wear Fire And Rescue Service	Raise no objections and provide advice on fire safety issues to the developer.

3.0 Representations:

- 3.1 Following initial receipt of the planning application neighbour notification and publicity of the application was carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.
- 3.2 2 no. letters of support were received in relation to the original publicity exercise from local residents raising the following points:
- The proposal will improve and enhance the overall design and visual appearance of this important site in line with the Tyne Gorge Study.
 - It will remove the overbearing hotel building which would have been caused harm to the homes, health and residential amenity of occupiers of Baltic Quay and would resolve residents concerns.
 - The dual branded hotel has been moved to a position which will enhance and improve the visual amenity of the quayside from both sides of the river and is more in keeping with all the planning studies and recommendations for the site. It will safeguard the future of the important views in and out of the site.
 - The idea of creating a linear park as a valuable green space for residents and visitors to enjoy is welcomed. The pandemic highlighted the vital role that gardens and green spaces play in our lives and the huge benefits they provide for both physical and mental health and in making our communities more resilient. The new development will see a significant increase in noise ,traffic and air pollution and a well designed and innovative green space in this position will perhaps help to reduce the impact
- 3.3 Following receipt of the amended plans further neighbour notification has been carried out.
- 3.4 1 no. letter of support has been received from Gateshead College. However they request contractors are considerate to the College operation during the construction phase, in terms of vehicle access and noise, particularly during exam periods.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

QB1 Quays and Baltic Sub-Area

QB2 Gateshead Quays Key site

QB3 Quays and Baltic Dev Opportunity Sites

UC3 Leisure Culture and Tourism

UC10 Car Parking

UC11 Gateways and Arrival Points

UC12 Urban Design

UC13 Respecting and Managing Views

UC14 Heritage

UC15 Urban Green Infrastructure

UC16 Public Realm

UC17 Public Art

CS1 Spatial Strategy for Sustainable Growth

CS2 Spatial Strategy for Urban Core

CS5 Employment-Economic Growth Priorities

CS8 Leisure, Culture and Tourism

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP14 Mitigating Impact on Transport Network

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP19 Air Quality

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP25 Conservation/Enhancement Heritage Assets

MSGP27 Archaeology

MSGP28 Renewable and Low Carbon Energy

MSGP29 Flood Risk Management

MSGP30 Water Quality/River Environments

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP48 Waste Management Facilities - New Dev

IPA4 Tyne Gorge Study

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment of the Proposal:

- 5.1 The key considerations to be taken into account when considering this planning application are the principle of the development, transport, residential amenity, flooding and drainage, impacts on the character of the surroundings, ecology/biodiversity, sustainability, ground conditions and waste management.

5.2 ENVIRONMENTAL IMPACT ASSESSMENT

The development does not fall within the criteria listed in schedule 1 and 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as such an Environmental Impact Assessment is not required in relation to this application.

5.3 PRINCIPLE OF DEVELOPMENT

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Core Strategy and Urban Core Plan (CSUCP) and Making Spaces for Growing Places constitute the statutory development plan covering the period up to 2030. As such they are considered to be up to date and the starting point for determining applications as set out in planning law and reinforced at Paragraph 12 of the NPPF. Paragraph 11c of the NPPF requires applications for development proposals that accord with an up to date development plan to be approved without delay.

- 5.4 The application site is located within the boundary of the Urban Core, as defined in the CSUCP and is specifically located within the Baltic Quarter.

- 5.5 Policy CS1 prioritises the Urban Core as the location for major leisure, culture and tourism development and seeks to create a more prosperous economy through the creation of 22,000 new jobs.
- 5.6 Policy CS2 earmarks the Urban Core as the priority location for development which will maintain and enhance its vibrancy. Part 4 of this policy identifies that this will be achieved by supporting developments which enhance and diversify culture, leisure and tourism facilities.
- 5.7 Policy QB1 seeks to achieve major regeneration of the Quays and Baltic Sub-Area for a diverse mix of cultural, commercial and leisure-led uses by requiring by providing improvements to the environment, accessibility and the green infrastructure network. Part 4 of this policy allocates 6 sites, including the Baltic Quarter for mixed use developments to contribute to the achievement of these aims.
- 5.8 Policy QB3, part 5 supports development for a range of uses, including hotels, within the Baltic Quarter, subject to compliance with various criteria listed in the policy.
- 5.9 Policy UC3 of the CSUCP relates to leisure, culture and tourism within the Urban Core and part 1 (iii) of this policy supports development which enhances and diversifies leisure, culture and tourism by extending the offer across the daytime and night time to a broader range of visitors through the provision of a range of hotels.
- 5.10 Policy CS5 states that Gateshead and Newcastle will play a major role in the economic growth of the North East. They will continue to develop a diverse economy with accessible employment and deliver significant increases in the number of businesses and jobs. Part 2 (ii) of this policy identifies this will be achieved by strengthening and clustering economic assets and promoting growth sectors including retail, leisure, health and tourism in the Urban Core.
- 5.11 Policy CS8 relates to leisure, culture and tourism across the Borough and part 1 of this policy states that development which improves the range and quality of leisure, culture and tourism facilities, including major sports venues and events, will be encouraged by focusing leisure, cultural and tourist attractions in the Urban Core and at accessible locations.
- 5.12 Part 6 of the NPPF encourages the building of a strong, competitive economy. Para. 81 states that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.
- 5.13 The provision of overnight visitor accommodation is a vital element of the wider Quays Arena and Conference Centre Development and is necessary to ensure the successful operation of these facilities once completed. A planning application for the re-designed Quays Arena and Conference Centre is expected to be submitted shortly. This will remove the approved hotel from the Quays site; with this application providing a new location for the hotel. As such

the submitted planning statement indicates that this proposal will have significant economic benefits including supporting around 355 full time construction jobs and 395 indirect full time jobs in the supply chain and a gross value added (GVA) of around £49 million per annum during the construction phase. Once operational the hotel would create around 75 full time jobs and support 40 indirect jobs in the wider region. The direct jobs would generate around £1.8 million in wages per annum and overall an uplift of £1.7 million per annum GVA. The hotel would provide additional accommodation of 210,000 visitor nights per annum giving rise to a gross uplift in tourism expenditure of £13.9m per annum.

- 5.14 Detailed matters are considered below, however it is considered that the proposed hotel in this location within the Baltic Quarter is acceptable in principle and would accord with the aims of policies QB3, UC3 and CS8 of the CSUCP and Part 6 of the NPPF. The economic benefits of the development are acknowledged and in accordance with para. 81 of the NPPF should be afforded significant weight.

5.15 TRANSPORT

5.16 Transport Assessment

The original planning application DC/20/00323/FUL for the Gateshead Quays Area and Conference Centre included a series of traffic modelling to inform the planning application and transport assessment. The outputs from the traffic modelling showed that localised congestion would occur as drivers access/exit from a major event at the Arena. However, with better control of traffic signalised junctions, some of these issues could be mitigated.

- 5.17 Since the initial application was submitted, the development proposals for the Gateshead Quays have changed, resulting in the current application to relocate the Hotel from the Quays area to the current site adjacent to Hawks Road/Quarryfield Road. Although the proposed dual brand Hotel is intended as a direct replacement for the extant dual brand Hotel approved by the original planning application, in planning terms, the new dual brand Hotel needs to be treated as additional as the previous consent for the Gateshead Quays site remains extant and whilst unlikely in practical terms, theoretically both dual brand Hotels could be constructed, if the current application is approved. A new application is due to be submitted shortly for the Gateshead Quays site and will be determined in due course. However irrespective of the outcome of this application, planning permission DC/20/00323/FUL remains extant and has been implemented by the undertaking of enabling works.

- 5.18 In these circumstances and prior to submission of this application, Officers considered whether additional traffic modelling should be undertaken to understand the impact of the current proposal. Since the original traffic model was developed, there have been a number of changes to the transport network and travel behaviours, which will have had a significant impact on the traffic conditions in the Gateshead Quays area. These include the Covid 19 Pandemic and a move to hybrid and home working, anticipated build out rate of development within the Quays and Baltic Areas, the Clean Air Zone (CAZ) and

on going works to deliver transport improvements in the Quays and Town Centre Areas being carried out by the Council under the Transforming Cities Fund (TCF). Given ongoing construction works in the area and traffic restrictions, it was not considered possible to collect new traffic data to understand existing traffic conditions. As the existing conditions in the Gateshead Quays area cannot currently be fully understood, it is not considered reasonable or practical to undertake further traffic modelling at this time.

- 5.19 As such a Qualitative Assessment (QA) of the impacts of the current proposal on the operation of the highway network has been carried out (AECOM, October 2022). This assessment considers the worst case scenario that the current Hotel proposal could be built together with the extant Gateshead Quays Arena, Conference Centre and Hotel development previously approved. It has been used to inform the submitted Transport Assessment (TA) and the key conclusions from the QA are as follows:
- The hotel development is unlikely to have a significant impact for a Saturday late evening as few vehicles will be travelling to/from the hotel at this time.
 - In the AM peak, the key issue on the highway network is the westbound approach to the junction Of Eastgate and the A167 (adjacent to Mecca Bingo). The hotel development will likely result in an increase in vehicles travelling in this direction. The queue on the westbound approach to Eastgate is therefore forecast to increase.
 - In the PM peak, the additional traffic associated with the hotel will increase congestion at the junction of Eastgate and the A167 (adjacent to Mecca Bingo). This was identified as an area of concern in the original traffic modelling, particularly when a major event is occurring at the Arena. Measures would need to be implemented to manage traffic in this location with changes to traffic signals if possible.
- 5.20 The QA identifies that the critical junction on the highway network in the Gateshead Quays area is the Hawks Road/Quarryfield Road junction. This needs to have the functionality within the traffic signals so that signals at this junction can be optimised to accommodate changes in demand associated with the Hotel and events taking place at the Gateshead Quays development. Furthermore improvements are required to aid pedestrian movement in the areas surrounding the site, to accommodate the increased number of pedestrians attracted by the proposed development.
- 5.21 Use of the Hotel would be heavily linked to events taking place at the Arena and Conference Centre and as such it is considered appropriate that a similar scheme of traffic signals and pedestrian improvement measures to that imposed on the original Gateshead Quays development should be repeated as part of any planning permission for the proposed Hotel. However these conditions have been tailored specifically to the hotel and its immediate vicinity rather than the wider Quays development. Furthermore, they are worded to allow for flexibility and potential agreement of an alternative scheme of

improvements to traffic signals equipment and pedestrian improvement measures depending on the circumstances.

- 5.22 The QA also determines that whilst the relocation of the hotel is unlikely to have any significant impact on conclusions previously drawn from the original traffic modelling work, the access arrangements into/out of the hotel for drop-offs and deliveries, should be carefully reviewed to ensure that this does not impact on the operation of the Hawks Road/Quarryfield Road junction. This is considered further below.
- 5.23 The TA elaborates upon the QA. It states that the practical position is that the proposed hotel will replace the extant consent on the Gateshead Quays site by relocating this facility to the south eastern corner of the Hawks Road/Quarryfield Road junction. As a result, the TA considers there will be a neutral vehicle trip impact as the extant consent is being relocated approximately 100m southwards of its currently consented position. Furthermore, as neither the extant or proposed hotel provide dedicated car parking and instead rely on public car parking facilities, there will be no material change in the distribution of vehicle trips.
- 5.24 The TA concludes that even in the pure planning scenario which considers the hotel as an additional hotel, whilst there would be some increase in queuing around the junction of Eastgate and the A167 (adjacent to Mecca Bingo), the traffic impact of the proposed development would be minimal and would not give rise to a significant material traffic impact beyond that of the extant scheme.
- 5.25 The conclusions of the QA and TA are broadly considered acceptable and, subject to the above conditions, it is not considered the development would result in any unacceptable impacts upon highway or pedestrian safety or traffic flow, in accordance with Local Plan policies QB3, UC9, CS13, MSGP14 and MSGP15 and Part 9 of the NPPF.
- 5.26 Pick up and Drop Off Facility
The proposal includes a pick up and drop off facility for taxis and other vehicles bringing guests to the hotel. This was originally intended to be located to the east of the building, adjacent to the access road to Baltic Quarter, but amended plans have now been received and the facility would now be located on Quarryfield Road a short distance to the south of the main hotel entrance.
- 5.27 The amended design is broadly considered acceptable and is well located for guests being dropped off or collected from the hotel. However the submitted drawings require further refinement in terms of the position of kerbs and materials for the facility, which can be agreed by condition.
- 5.28 Additionally Officers consider it is fundamental in terms of accessibility and safety that a 3.75m wide shared use path, from the junction of Hawks Road and Quarryfield Road, beyond the proposed pick-up and drop-off facility, to tie-in with the existing segregated cycleway and footway in front of the Riga building, is provided as part of this development.

- 5.29 Once a final design for the pick up and drop off facility and associated multi user path is produced, this may require amendments of the existing traffic calming and road markings on Quarryfield Road. New connections to the public highway and works within it, such as these amendments, would require a S278 agreement with the Highway Authority under separate requirements of the Highways Act. The developer is aware of the need for this separate agreement and would need to seek this in the future if planning permission is granted.
- 5.30 Travel Plan
A Framework Travel Plan (FTP) was originally submitted as part of the application and has been subsequently updated following Officer's comments.
- 5.31 The hotel would not include any car parking on site. Regular bus services run along Hawks Road and Mill Road, with bus stops in the vicinity of the application site, providing a connection to Gateshead Interchange and Newcastle City Centre. There are also pedestrian and cycle routes to these nearby centres which are around 15-20 mins walk away.
- 5.32 The revised FTP has a greater emphasis on travel to the site by sustainable modes for staff rather than hotel guests. It also identifies that the hotel operator would intend to seek a discounted rate for guest car parking within the adjacent MSCP. Transport Officers are concerned this could undermine the objective to travel to the hotel by sustainable modes.
- 5.33 Officers consider that improved measures to promote travel by sustainable modes for both guests and staff are required. These could include shower provision, changing facilities and lockers for staff cyclists, season ticket loan schemes and taster tickets/passes for staff using public transport and means to promote sustainable travel by guests.
- 5.34 A condition to agree a full travel plan prior to first use of the hotel and implementation of this for a minimum of 5 years is considered appropriate. The full travel plan would be expected to include the above measures and other means of supporting sustainable travel.
- 5.35 Cycle Parking
Amended layout plans show provision of 6 cycle stands, providing 12 short stay cycle spaces, adjacent to the main hotel entrance. 28 long stay spaces for guests and staff are shown to the rear of the hotel. The quantity of cycle parking indicated is broadly acceptable for the scale and nature of the development. Precise details of the type, fixings, materials, dimensions and setting out arrangements for the cycle parking and the secure weather resistant enclosure are not included in the application. However, these details, including a suitable access route, and implementation of the required amount of cycle parking can be secured by conditions.
- 5.36 Servicing

A hammerhead shaped service yard is proposed to the rear of the hotel, this would serve as a turning area for vehicles up to 12m in length. Longer vehicles would be unable to turn and exit the service yard in a forward gear. No loading bays are shown within the service yard. It would be accessed off the internal access road within Baltic Quarter via a ramp sloping downwards from the road. Officers have some concerns about the steepness of the ramp and consider some vehicles could experience grounding and damage based on the current design. As such a condition to agree details of and secure implementation of final details of the service yard ramp is considered appropriate.

- 5.37 The proposed service yard access is situated adjacent to a bend in the internal access road to Baltic Quarter. However traffic speeds and flows in this vicinity are relatively low and as such this arrangement is not considered to result in highway safety issues.
- 5.38 The TA indicates that up to 7 servicing vehicles, including either a 10m rigid or large refuse vehicle, would use the service yard each day, with only 1 large vehicle being able to use it at a time. Vehicles would be given a designated time slot to access the site to avoid conflicts with one another. It is unclear whether there would be any control on access to the service yard, such as a physical barrier.
- 5.39 Officers consider it would be appropriate to agree and secure implementation of a delivery and refuse management strategy for the service yard access by condition to ensure this can operate safely without any adverse impacts. This should include a schedule of deliveries; an explanation how the maximum size of vehicles will be controlled; and how the area will be kept clear and operate in a safe manner at all times.
- 5.40 Works Affecting the Public Highway
Layout plans submitted with the application do not accurately depict all existing highway features, the on going TCF works and site levels. It is important that existing and proposed site levels are correctly plotted on a plan to inform footpath, highway and hard surfacing works associated with the proposed hotel. As such a condition to agree and implement satisfactory site levels is considered appropriate. These details would also be needed to inform engineering drawings required for the S278 agreement.
- 5.41 Other Matters
Officers note that existing roadside footpaths to the east side and rear of the proposed hotel adjacent to the Baltic Quarter access road appear to be being encroached into by hard and soft landscaping features, including proposed retaining walls, associated with the hotel. Whilst these are not adopted footways and are privately owned by the Council, it is important they are maintained to their current width. The developer has been made aware of this issue and conditions to agree precise details of hard landscaping, surfacing treatments and retaining walls are considered appropriate. These would need to include a comparison plan overlaying existing footways and highway features against the proposed development to ensure there is no encroachment, that existing footway widths are maintained and should also

detail the treatment between the boundary of footways and highway features and private realm within the application site.

5.42 Furthermore existing footways to the rear of the proposed hotel adjacent to the Baltic Quarter access road are flush with the road, demarked by bollards and include street lighting and CCTV. Indicated surfacing materials within the application site do not match these existing footways and the treatment of proposed kerbing, existing bollards, street lighting and CCTV is unclear from the application. These details would also need to be agreed by conditions, in consultation with the Highway Authority and the council as landowner to ensure a consistent appearance, levels and overall finish to these areas of the site.

5.43 Transport Conclusion

There are a series of outstanding points identified by Officers in terms of transport and accessibility issues, however these matters are considered capable of being resolved by conditions, as detailed above. Subject to these conditions it is considered that, when treated as an additional hotel, small increases in traffic flow can be adequately managed, necessary improvements to pedestrian and cycling facilities delivered and an acceptable public and private realm scheme provided on and adjoining the Hotel site. As such the proposed development is considered acceptable in terms of highway safety and accessibility, in accordance with Local Plan policies CS13, UC5, UC6, UC7, UC8, UC9, QB1, QB3, MSGP14 and MSGP15 and Part 9 of the NPPF.

5.44 AMENITY IMPACTS

The closest residential properties to the proposed Hotel are located at Baltic Quay Apartments around 105m to the north. Other properties bordering the site including Gateshead College, the Ramada Encore Hotel and Offices within Baltic Quarter could also be sensitive to the impacts of the proposal.

5.45 A development site known as 21 Mill Road is located immediately to the north of the proposed Hotel on the opposite side of Hawks Road. Planning permission DC/19/00785/FUL relates to this site and granted consent for a 20 storey building for use as a hotel, serviced apartments and ground floor commercial units. An application for a Lawful Development Certificate (DC/23/00132/CPE) is currently under consideration to establish whether this consent has been lawfully implemented, remains extant and capable of being built out in the future.

5.46 Light and Shadowing

A Daylight and Sunlight Assessment has been submitted as part of the planning application.

5.47 Given the separation distance of over 100m between the proposed hotel and Baltic Quay Apartments, there would not be any adverse impacts to residents in terms of loss of light and over shadowing.

5.48 The proposed hotel would be 9 storeys in height with a maximum height of 61.865m to the top of the roof parapet level and 56.275m to the level of the flat roof.

- 5.49 To the west side on Quarryfield Road land slopes downwards from south to north, the proposed building is designed to accommodate this drop in levels. This side of the hotel would be located to the east of Gateshead College, at the closest point there would be a separation distance of around 29m between the two buildings. The flat roof of the hotel would sit approximately 9m above the height of the College and the upper roof parapet level would be around 15.9m taller. Given the eastern orientation of the hotel to the College, there would only be limited shadowing of the east side of the College for a brief period early in the morning before the sun moves towards the west. This would be similar to the existing impacts between the Riga Building, located to the south of the proposed hotel, and the southern part of the College, which is situated immediately opposite on the west side of Quarryfield Road.
- 5.50 The Riga building is located around 10m to the south west of the proposed hotel at an oblique angle. The main part of the roof would sit approximately 5.9m higher than the existing building and around 11m to the height of the upper roof parapet level. Given the northern orientation of the hotel to this building and the oblique relationship, it is not considered there would be any over shadowing or significant loss of light to users. Similarly given the relationship of the proposed hotel to other buildings on Baltic Quarter to the east of the Riga building, it is not considered they would be subject to any adverse impacts of this nature.
- 5.51 The proposed hotel is located around 18m to the south of the 21 Mill Road development site, where there has been previous planning permission for a 20 storey hotel and serviced apartments. At present it is not known whether this consent remains extant and this will be established as part of a current Lawful Development Certificate application. The Mill Road site is allocated for office and leisure uses in the CSUCP, however, it has been subject to a series of previous planning permissions for developments of a residential nature, as such it is appropriate that impacts on potential future development of this site are considered.
- 5.52 The Daylight and Sunlight Assessment considers the impacts of the proposed hotel on a building of identical scale and height to the most recently approved development at 21 Mill Road, having regard to the Building Research Establishment (BRE) Guidelines entitled 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice (2022)'. It concludes that impacts are acceptable when considered against the BRE Guidelines. As such it is not considered the proposed hotel would result in adverse impacts in terms of daylight and sunlight upon the 21 Mill Road development site based on a building of matching scale and height to what was previously approved on that site.
- 5.53 The Ramada Encore Hotel is located immediately to the east of the 21 Mill Road development site and to the north east of the proposed hotel on the opposite side of Hawks Road. The southern side of the Ramada Encore Hotel will already experience some shadowing at certain times of the day and year from the new multi storey car park located immediately to the south of Hawks

Road, with further impacts of shadowing to the west side of the building if any development comes forward at 21 Mill Road in future. The proposed hotel would be at an oblique angle to the Ramada Encore Hotel. Given the relationship between the two buildings and presence of existing and potential future tall buildings in vicinity of the Ramada Encore Hotel, it is not considered impacts of shadowing from the hotel would be significant within this context.

- 5.54 The proposed hotel is located within the Baltic Quarter, which is an urban location including a series of current and potential future taller buildings. Within such areas density of development and levels of light are typically lower than in lower density, more rural locations. Furthermore none of the existing buildings bordering the application site are in residential use, with all being commercial, educational or hotel uses. As such users would be more transient, spending less time in the buildings than residential occupiers and would not be subject to any permanent and long term impacts of light and shadowing. Impacts of daylight and sunlight have been assessed and it is not considered the proposed hotel would result in any adverse impacts in these regards, in accordance with Local Plan policies CS14 and MSGP17 and Parts 12 and 15 of the NPPF.
- 5.55 Noise
A Noise Impact Assessment (NIA) has been submitted as part of the planning application. Anticipated sources of noise associated with the proposed hotel are anticipated to come primarily from plant and equipment, together with general comings and goings.
- 5.56 The NIA identifies that the proposal would result in an exceedance of night time (23.00 - 07.00) noise levels. These are calculated to be an exceedance of 5dB at the 21 Mill Road development site and 3dB at the Ramada Encore Hotel and Gateshead College.
- 5.57 Policy MSGP18 Part 2 states that 'where the increase in noise level would be between 5dB(A) and 10dB(A) the applicant will be expected to demonstrate that acceptable noise levels will be achieved, or can be achieved, through appropriate mitigation and a noise assessment may be required. Where the increase in noise levels would be below 5dB(A) the application will be judged on its merits.'
- 5.58 In terms of plant noise mitigation would be provided in terms of the siting of equipment on the roof away from the most sensitive areas, control over hours of use of some equipment, use of noise limiting features and use of a louvered screen around roof top plant.
- 5.59 Furthermore once the consented Arena and Conference Centre are operational together with the adjacent multi storey car park, background noise levels at night may be higher than those used in the Assessment, meaning exceedance of background noise level is naturally lower. The College and surrounding commercial buildings are unlikely to be in use during the night time period so are not anticipated to be adversely affected in this regard. Users of the Ramada Encore Hotel and potential future 21 Mill Road site, if a hotel is built

there in the future, would be short term, transient occupiers and would therefore only be exposed to impacts for limited periods.

- 5.60 During the day time plant noise would not be noticeable above existing background noise, which is relatively high given the urban location, at surrounding receptors including 21 Mill Road, the Ramada Encore Hotel and Gateshead College.
- 5.61 The Baltic Quay apartments would be situated further away from the proposed hotel than the 21 Mill Road site and Ramada Encore Hotel. As such plant noise from the hotel at the apartments is expected to be less than that at the Ramada Encore Hotel and would be negligible against existing background noise, during both the day and night.
- 5.62 The site is situated within an urban location in proximity to a number of existing and extant leisure, cultural and entertainment venues, commercial and educational premises, construction sites and roads and public transport links. Background noise, during both day time and night time is therefore relatively high. There is no car parking directly associated with the proposed hotel, as such vehicle movements associated with the site would be relatively low and not unduly noise generating. Comings and goings by hotel guests and staff are not expected to generate levels of noise audible in excess of current background noise levels, in particular at the Baltic Quay apartments, the closest residential properties to the proposed hotel.
- 5.63 Plant would be located on the roof of the proposed hotel with some hotel rooms immediately below. However mitigation, in particular sound insulation performance specifications for the glazed elements of the hotel bedrooms, would be used to minimise these impacts, which would only be short term in any event given the transient nature of the occupants.
- 5.64 Conditions requiring compliance with glazing sound reduction values set out in the NIA and final plant noise mitigation proposals compliant with noise levels specified in the NIA are considered appropriate to prevent unacceptable noise outbreak from the hotel and appropriate standards identified in the NIA are met.
- 5.65 Overall it is not considered the development would result in adverse impacts in terms of noise associated with the development in accordance with Local Plan Policy MSGP18 and Parts 12 and 15 of the NPPF.
- 5.66 Odour
In general the proposed hotel is not considered to be an odour generating form of development. However it would incorporate a bar and kitchen serving food. Details of proposed kitchen exhaust and ventilation are not included in the application and Officer's consider a condition to agree these details and secure their implementation as part of the development are appropriate, in accordance with Local Plan policies MSGP17 and CS14 and Part 15 of the NPPF.
- 5.67 Construction Phase

The construction phase of the development has potential to impact on residents and businesses within the vicinity of the site, together with wider impacts such as traffic/transport, ecology and drainage. However these impacts would be for a temporary period only and are considered capable of being adequately managed during this period.

5.68 Officers recommend that a Construction Environmental Management Plan (CEMP) is agreed by condition prior to the commencement of the development. This would set out how a number of construction matters would be addressed while the development is being built, including traffic management, deliveries, temporary drainage, ecological issues, cranes and general amenity impacts.

5.69 Conditions to control construction working hours and to agree and implement the CEMP are appropriate to ensure amenity and other related impacts are minimised to an acceptable level, in accordance with Local Plan policies MSGP17 and CS14 and Parts 12 and 15 of the NPPF.

5.70 AIR QUALITY

An Air Quality Assessment has been submitted as part of the application. Officers agree with the methodology used and the assessment of both construction and operational impacts detailed in the report. The assessment concludes that there will be no exceedance of relevant air quality standards at residential receptors, no introduction of new residential receptors into an area of poor air quality, nor any significant impact on the wider town centre Air Quality Management Area (AQMA) or the Tyneside Clean Air Zone (CAZ) as a result of the development. As such it is considered that there are no air quality constraints with the proposed development.

5.71 Given the immediate proximity of residential (Baltic Quays Apartments) and other facilities (Gateshead College, existing hotels, etc) it is appropriate that fugitive dust emissions from site preparation and construction should be controlled. A dust management plan (DMP) should be embedded into a broader Construction Environmental Management Plan (CEMP) which should be subject to a condition. The DMP should include the mitigation measures detailed in appendix H of the Air Quality Assessment and demonstrate compliance with relevant IAQM (Institute of Air Quality Management) guidance.

5.72 Subject to the above condition, it is not considered there would be any adverse impacts in terms of air quality both during construction and once the Hotel is operational, in accordance with policies CS14 and MSGP19 of the Local Plan for Gateshead and Part 15 of the NPPF.

5.73 FLOODING AND DRAINAGE

The site is situated in flood zone 1, with a low risk of flooding and there are no known historical recorded incidences of flooding on the site. The Environment Agency identify a low risk of surface water flooding on Quarryfield Road and Hawks Road adjacent to the site. Overall the site is considered to be at a low risk from all sources of flooding.

- 5.74 A Flood Risk and Drainage Assessment was originally submitted with the application, further information including a drainage layout, technical details and calculations were subsequently provided following Officer's initial comments.
- 5.75 The scheme incorporates SuDs including a blue or green roof to the building, permeable paving, an attenuation tank and areas of landscaping to attenuate water above ground. Following attenuation, surface water would be discharged into the public sewer at 5 l/s, as agreed with Northumbrian Water. Other options including ground infiltration and an outfall to the river are not considered suitable in this location due to the circumstances of the site. In principle Officers consider the site is capable of being adequately drained, including SuDs, without being subject to on site flood risk or increasing flood risk elsewhere. However some minor discrepancies in the technical details of the proposed drainage scheme have been identified. As such a condition is recommended to agree precise details of the final drainage scheme. Additionally a condition for a drainage management plan is considered appropriate identifying ownership and responsibility for all drainage components and how these would be maintained for the lifetime of the development.
- 5.76 An existing private drain associated with the Baltic Quarter development crosses the application site and is required to be protected or diverted to accommodate the development. A condition to agree a detailed Drainage Construction Method Statement, which will include details of protection or diversion of this existing private drain, is appropriate to demonstrate how this feature will be dealt with as part of the development. This would also ensure that surface water run off during the construction phase is adequately managed and off site surface water flooding is not increased during construction works.
- 5.77 The proposed service yard, which would be accessed by HGVs and other vehicles has potential for contamination by petrol leakage and other spillages, which could seep into the drainage system. A channel drain incorporating a cleaning system is proposed which would address this issue. Officers have recommended that permeable paving is used within the drop off/pick up facility area which would help in the treatment of any pollution from vehicles using this facility. This would be explored further as part of the final drainage scheme condition, however if this is not possible for practical reasons a similar approach to the service yard could be used to deal with any potential pollution. As the proposals would not discharge into any water course, sources of pollution are capable of being adequately addressed and no other sources of pollution affecting the drainage system are anticipated, it is not considered the development would result in any water quality issues.
- 5.78 Overall, subject to appropriate conditions as detailed above, it is considered the development can be satisfactorily accommodated without being affected by flood risk or increasing flood risk elsewhere and without resulting in any water quality issues, in accordance with Local Plan policies CS16, CS17, QB3, MSGP29 and MSGP30 and Part 14 of the NPPF.

5.79 IMPACT ON THE CHARACTER OF THE SURROUNDING AREA

Officers consider that the proposed Hotel is generally of a good standard of design. The height of the proposed building would be taller than adjacent existing buildings at Gateshead College, the Riga building and the recently constructed multi storey car park. However a precedent for taller buildings in this area has previously been established by the Baltic Quay apartments, which are around 13 storeys in height and the 21 Mill Road development site, where planning permission was previously granted for a 20 storey building. As such it is considered the height of the Hotel, although taller than immediately surrounding buildings to the south and west would relate acceptably within this urban context. Whilst taller, the scale and massing of the Hotel are broadly similar to that of adjacent buildings.

- 5.80 The detail and elevational design of the building and proposed materials/colours are well thought out and again have been considered in context, taking reference from the surrounding built form. The building would present active frontages onto Hawks Road and Quarryfield Road. The proposed building has its own distinctive identity and appearance. The materials and colours have been applied in such a way that they create visually striking volumetric elements that lock together to form the entire building, producing a visually dynamic and interesting built form that also works to break up the overall mass of this large structure. The light grey brick gridiron elevational treatment presents a strong architectural element that appears to overlay the dark grey/black brick detailing set within the window bays. The overall effect delivers a strong architectural rhythm that is well-proportioned and well-articulated, bringing depth and definition to the building's facades.
- 5.81 Conditions to agree final external materials for the hotel are appropriate to ensure they reflect the submitted elevation plans and relate to the surrounding area.
- 5.82 External space around the building is limited and is required to accommodate some functional features such as the service yard and pick up/drop off facility. However the remainder of external areas would be landscaped to a high standard, including planting and soft landscaping, hard surfacing, steps and public seating. Whilst details of landscaping are provided, a landscaping condition is considered appropriate to agree precise details of materials and finishes.
- 5.83 The Gateshead Quays and Baltic area has an established materials palette for external detailing, where a brushed stainless steel finish is typically used. The amended details indicate that cycle parking stands and handrails would now utilise these materials. This would ensure consistency and quality of finish with the wider surroundings.
- 5.84 Similarly, there is an established palette of hard surfacing materials within this locality. The submitted details are not always consistent with this and as such a condition to agree precise details of hard surfacing are appropriate to ensure they reflect the established public realm palate.

- 5.85 All existing trees and shrubs, with the exception of 5 no. hornbeam trees to the south east corner forming part of the landscape scheme for the Riga Building, would be removed to accommodate the development. However the vegetation being removed is relatively recent, of limited visual merit and would be compensated for by the provision of new tree planting as part of the development. A condition to agree tree protection details for the 5 retained trees during construction is considered appropriate.
- 5.86 Plan policies UC17 and CS15 require the provision of public art on development of key sites within the Urban Core. The amended design and access statement sets out some indicative proposals for incorporating public art within the scheme to the north east and south west of the building. A condition is appropriate to secure agreement and implementation of public art as part of the development.
- 5.87 Subject to conditions to agree precise details of landscaping and external finishes, it is considered the building is of a good quality design and would relate well visually to the character and appearance of the surrounding area, in accordance with Local Plan policies CS15,UC12, QB3 and MSGP24 and Part 12 of the NPPF.

5.88 HERITAGE AND ARCHAEOLOGY

There are no recorded heritage assets on the site. Historically it formed part of a medieval deer park but has been redeveloped and reclaimed since then. To the west is Bridges Conservation Area and to the west, north-west and north are a number of listed and locally listed structures and buildings. They are a disparate group of features in terms of age, function, origin, generally large and separated by modern development.

- 5.89 The site is part of the wider redevelopment of Baltic Quarter and Gateshead Quays where multi-storey modern buildings have been added since the 1990s. These buildings and additional approved schemes intervene between the heritage assets and the proposed hotel site.
- 5.90 The proposed development, of modern design and materials, in the context of other development here will not affect the character and significance of nearby heritage assets or their setting. As set out above, conditions to agree precise details of external materials are appropriate to ensure this is the case.
- 5.91 An archaeological desk based assessment for the site has been submitted as part of the planning application. The report reviewed geotechnical investigations, LiDAR data and satellite images, the Tyne and Wear Historic Environment Record and other historical and cartographic sources including historic maps. The report concluded that the site has no evidence for prehistoric, Roman or medieval occupation within or in close proximity to the site, and it remained as park or agricultural land until the mid 19th century when it was developed for industrial uses. Subsequent redevelopment and remediation is considered to have removed any archaeological evidence from earlier periods. The archaeological desk-based assessment demonstrates that

the application site has low archaeological potential and no further archaeological investigation is required.

- 5.92 The proposal is not considered to result in any adverse impacts in terms of heritage or archaeology and would preserve the significance and setting of heritage assets within the wider surroundings, in accordance with Local Plan policies CS15, UC12

5.93 ECOLOGY/BIODIVERSITY

An Ecological Assessment and Biodiversity Net Gain (BNG) Design Stage Report have been submitted with the application.

- 5.94 The supporting information sets out that the habitats present on site (modified grassland, tall ruderal, scattered trees, hedging and scrub) are of limited ecological value. Trees and scrub within the site have potential to support nesting birds during the nesting season (considered to run from March-September inclusive) whilst the site offers suitable some limited foraging habitat for hedgehog *Erinaceus europaeus*, a Species of Principal Importance in England under S41 of the NERC Act (2006) and sub-optimal foraging/commuting habitat for bats.
- 5.95 The proposed development has the potential to result in the direct loss and/or deterioration of habitats and features (e.g. habitats used by hedgehog and nesting and foraging birds; and the increased disturbance, displacement and predation of species, including via any increased lighting levels). In accordance with Para. 180 of the NPPF, and Policy MSGP37, these impacts should be avoided where possible, adequately mitigated or compensated for. The submitted Ecological Assessment identifies proposed mitigation including insect hotels, avoidance of works during the bird nesting season or checking surveys by an Ecologist if works are required during this period, incorporation of bird boxes within the development and a precautionary working method statement with regards hedgehogs.
- 5.96 Officers also consider conditions to agree and implement a Construction Environmental Management Plan for biodiversity, bat roosting and bird nesting features and an appropriate lighting design strategy for biodiversity are appropriate to secure required ecological mitigation, in accordance with Para. 180 of the NPPF, and Policy MSGP37,
- 5.97 In terms of biodiversity the site currently accommodates 1.05 habitat units and 0.3 hedgerow units. The development would result in a loss of biodiversity of 0.3 habitat units and 0.3 hedgerow units. Policy MSGP37 and Para. 174 (d) of the NPPF require that new development provides a net gain to biodiversity. The Government's emerging Environment Bill proposes to set a requirement for all new developments to achieve a 10% BNG using Defra's Biodiversity Metric calculator tool to inform off-site requirements, however as this is currently a draft Bill only and not currently an Act of Parliament, these requirements cannot be enforced at this time and only a net gain is required to be delivered in accordance with the above policies.

5.98 Whilst some planting within the site is proposed which would make a small contribution to its biodiversity value, overall the development would result in a net loss to biodiversity. Previous planning applications DC/20/00323/FUL and DC/21/01436/FUL, which encompassed the hotel within the Quays Arena and Co-ex site on the opposite side of Hawks Road identified 4 off site locations within the Council's control where a BNG of 7.5% could be provided, with conditions used to agree final details of these proposals. With regards the current application, officers consider that an off site BNG compensation scheme achieving a similar percentage to the previous scheme is capable of being achieved either within the 4 previously identified off site locations or on other Council land if required. Precise details of this are unclear at this time and would be finalised in conjunction with BNG proposals for the Quays Arena and Co-ex site. As such conditions are considered appropriate to require the proposed hotel to provide a minimum of 7.5% BNG and to agree and implement these off site measures. This will ensure an acceptable level of BNG, consistent with the previous scheme, is provided as part of the development, in accordance with policy MSGP37 and Part 15 of the NPPF.

5.99 GROUND CONDITIONS

The site is situated on land formerly occupied by a railway line, public house, an abattoir, pump works, an electricity substation and warehouses. Consequently, it is considered by officers that the development area may be affected by ground contamination. Contamination may possibly exist from historic made ground deposits present possibly from previous uses, imported fill materials and historic made ground deposits containing demolition materials from former buildings such as asbestos.

5.100 A Phase 1 Desk Top Study has been submitted as part of the application. This concludes that intrusive site investigations should be undertaken to assess the potential for presence of contamination and ground gases, in particular in the central and northern areas. The investigation would also inform foundation and engineering solutions for the development. Officers concur that a condition is appropriate to secure will be required for further site investigation as part of a Phase II Detailed Risk Assessment, including gas monitoring. Conditions for remediation and verification reports are also considered appropriate, to be discharged if site investigations determine remediation works are necessary.

5.101 The site is situated within a coalfield development high risk area and the Coal Authority were a statutory consultee on the application.

5.102 The Coal Authority's records indicate that the site is likely to have been subject to historic unrecorded underground shallow coal mining. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. A Coal Mining Risk Assessment has been submitted with the application. This identifies that there is the presence of possible ancient shallow coal mine workings in the High Main, Metal and Five Quarter coal seams. It is therefore recommended that intrusive site investigations and remedial works, if necessary, are undertaken as part of the development.

- 5.103 Conditions are recommended by the Coal Authority to secure intrusive site investigations of shallow mine workings, together with remediation and mitigation works and verification of such works, as necessary.
- 5.104 Subject to the above conditions, the development is considered to comply with the requirements of Local Plan Policies CS14 and MSGP20 and Part 15 of the NPPF.

5.105 SUSTAINABILITY

The Hotel has been designed with a 'fabric first approach' a nationally recognised method in designing buildings to mitigate carbon emissions at best value. The design aims to maintain a comfortable internal environment whilst using the minimum amount of energy. This will be achieved by passive measures in the design to minimise the need for mechanical cooling, heating and artificial lighting, efficient mechanical and electrical systems where required and use of renewable technologies. The development aims to achieve sustainability in excess of Part L of the 2021 Building Regulations which set maximum limits for carbon emissions from buildings and provides minimum efficiency standard for fabric and building services. The site is also located in proximity to the Gateshead District Energy Centre and has potential to connect to this network. Overall it is considered the development would provide a good level of sustainability, in accordance with Local Plan policy CS16 and Part 14 of the NPPF.

5.106 WASTE MANAGEMENT

A bin storage area capable of accommodating an adequate number of bins to serve the development would be provided to the southern side of the eastern wing. This would be serviced from the service yard which is a hammerhead turning area to the rear of the building accessed via the Baltic Quarter internal access road off Hawks Road. This would provide adequate turning and manoeuvring space for refuse collection vehicles. As such waste management facilities at the site are considered to be acceptable and would accord with policy MSGP48.

5.107 WIND MITIGATION

A Pedestrian Level Wind Microclimate Assessment has been submitted as part of the application, which has been subsequently updated to reflect the amended layout and relocation of the pick up/drop off facility. This identifies that pedestrian thoroughfares at the south west and north corners of the site may have wind exceedances which could pose a safety concern to more vulnerable pedestrians and cyclists. The original Assessment included some mitigation proposals including planting of trees and other vegetation around the building and steel wind mitigation screens.

- 5.108 Following amendments to the layout to accommodate the revised position of the taxi drop off, the Wind Assessment was updated and an amended report was submitted. This recommends use of further wind mitigation screens beyond that shown on the submitted plans and detailed in the original Assessment. It also advises that further wind modelling is carried out taking into account landscaping within the Multi Storey Car Park site to the east. As

such conditions are considered appropriate to agree details of final wind mitigation measures and the further modelling required to ensure the development does not result in safety concerns. Subject to this condition it is considered the Hotel can be accommodated without exposing pedestrians and cyclists to unacceptable conditions, in accordance with Local Plan policies CS13, CS14, MSGP15 and MSGP17 and Parts 9 and 12 of the NPPF.

5.109 EMPLOYMENT OPPORTUNITIES

A major priority for the Council is the creation of employment and training opportunities, especially apprenticeships for local people and as such the Council seeks to bring forward opportunities in construction and also the operation of the development.

5.110 The apprenticeships could be through the Council's supply chain, contractors, delivery partners or ancillary activities across the length of the build and the long-term operation of the development upon completion. Any such opportunities would be made available to target groups within the Borough and beyond.

5.111 In line with the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016, agreement and implementation of an Employment and Training Plan for both the construction and operational phases can be secured by conditions.

5.112 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 a CIL chargeable development. However, it is in Commercial Zone 3, where the rate is £0 per square metre.

6.0 CONCLUSION

6.1 The proposed dual brand Hotel is intended to replace the extant dual brand Hotel previously approved as part of the Gateshead Quays Arena and Conference Centre Development. However for planning purposes, given the extant nature of the previous consent, it is appropriate that the current proposal is considered as an additional Hotel and on its own merits.

6.2 Policy QB3 Part 5 allocates land within Baltic Quarter for a range of uses, including Hotels. As such the principle of the proposed use in this location is acceptable.

6.3 The Hotel is of a good quality of design and well related in terms of scale, mass and appearance to the surroundings. Subject to appropriate conditions, no adverse impacts are identified in terms of transport, residential amenity, flooding and drainage, the character of the surrounding area, heritage/archaeology, ecology/biodiversity, ground conditions, waste management, sustainability, wind mitigation and employment opportunities, in

accordance with relevant policies from the Local Plan for Gateshead and the NPPF.

- 6.4 There are no material considerations which indicate otherwise and the application is recommended for approval.

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

Site Location Plan - NGQ-AHR-HT-ZZ-DR-A-08100 Rev P2
Landscape GA2 - 2982-PLA-XX-XX-DR-L-0002 S2 Rev P07
Softworks GA - 2982-PLA-XX-XX-DR-L-2000 S2 Rev P06
Tree Retention and Removal GA - 2982-PLA-XX-XX-DR-L-2001 S2 Rev P04
Furniture GA - 2982-PLA-XX-XX-DR-L-4000 S2 Rev P05
Site Plan Proposed - NGQ-AHR-HT-ZZ-DR-A-08102 Rev P2
Ground Floor Plan - NGQ-AHR-HT-00-DR-A-08200 Rev P2
First Floor Plan - NGQ-AHR-HT-01-DR-A-08201 Rev P3
Second Floor Plan - NGQ-AHR-HT-02-DR-A-08202 Rev P2
Third Floor Plan - NGQ-AHR-HT-03-DR-A-08203 Rev P2
Fourth Floor Plan - NGQ-AHR-HT-04-DR-A-08204 Rev P2
Fifth Floor Plan - NGQ-AHR-HT-05-DR-A-08205 Rev P2
Sixth Floor Plan - NGQ-AHR-HT-06-DR-A-08206 Rev P2
Seventh Floor Plan - NGQ-AHR-HT-07-DR-A-08207 Rev P2
Eighth Floor Plan - NGQ-AHR-HT-08-DR-A-08208 Rev P2
Ninth Floor Plan (Plant Level) - NGQ-AHR-HT-09-DR-A-08209 Rev P2
Basement Floor Plan - NGQ-AHR-HT-B1-DR-A-08211 Rev P2
Roof Plan - NGQ-AHR-HT-ZZ-DR-A-08210 Rev P2
Elevations Sheet 1 - NGQ-AHR-HT-ZZ-DR-A-08400 Rev P2
Elevations Sheet 2 - NGQ-AHR-HT-ZZ-DR-A-08401 Rev P2
Elevations Sheet 3 - NGQ-AHR-HT-ZZ-DR-A-08402 Rev P1
Brand 1 Bay Elevation - NGQ-AHR-HT-ZZ-DR-A-08501 Rev P2
Brand 2 Bay Elevation - NGQ-AHR-HT-ZZ-DR-A-08502 Rev P2
Building Sections Sheet 1 - NGQ-AHR-HT-ZZ-DR-A-08300 Rev P2
Building Sections Sheet 2 - NGQ-AHR-HT-ZZ-DR-A-08301 Rev P2
Building Sections Sheet 3 - NGQ-AHR-HT-ZZ-DR-A-08302 Rev P2
Building Sections Sheet 4 - NGQ-AHR-HT-ZZ-DR-A-08303 Rev P2

Reason In order to ensure that the development is carried out in accordance with the approved plans.

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

No development shall commence until a Phase II Detailed Risk Assessment (to assess potential contamination at the site) has 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.

4

Where required, the remediation and monitoring measures approved under Condition 3 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.

5

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.

6

The remediation and monitoring measures approved under condition 5 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.

7

Where remediation is required (under conditions 3-6) following completion of the approved remediation and monitoring measures, use of the development hereby approved shall not commence 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, use of the buildings, structures or plant within the relevant phase shall not commence 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.

8

No development shall commence until;

- a. a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b. any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

To ensure that the development is not subject to any unacceptable risks from coal mining legacy features and is stable and capable of accommodating the development, in accordance with Policies CS14 and MSGP20 of the Local Plan and Part 15 of the NPPF.

Reason for prior to commencement condition

The assessment of the risks of the site from coal mining legacy features 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.

9

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

To ensure that the development is not subject to any unacceptable risks from coal mining legacy features and is stable and capable of accommodating the development, in accordance with Policies CS14 and MSGP20 of the Local Plan and Part 15 of the NPPF.

10

Notwithstanding the submitted plans prior to the commencement of the development precise details of existing and proposed ground levels, finished floor levels and site sections shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of the visual amenity of the surroundings and highway safety, in accordance with Local Plan policies CS13, CS15, QB3, MSGP15 and MSGP24 and Parts 9 and 12 of the NPPF.

Reason for prior to commencement condition

To ensure accurate site levels are established at an early stage to enable detailed design of floor levels, highway, public and private realm works to progress and in advance of any ground works or laying of foundations taking place.

11

The development shall be implemented in complete accordance with the ground levels, finished floor levels and site sections approved under condition 10.

Reason

In the interest of the visual amenity of the surroundings and highway safety, in accordance with Local Plan policies CS13, CS15, QB3, MSGP15 and MSGP24 and Parts 9 and 12 of the NPPF.

12

Notwithstanding the submitted plans prior to commencement of development a final detailed drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include a final drainage plan and supporting drainage calculations showing how runoff to and from the site is to be managed together with site specific cross sections through all key drainage components (sewers, attenuation tank, flow control chamber, permeable paving). Information demonstrating how runoff from all areas will receive an appropriate level of treatment in line with the Simple Index Approach of The SuDS Manual is to be provided for approval. Full details of the proposed blue roof system functionality where it forms part of the drainage system are also required.

Reason: To demonstrate that the final detailed drainage design follows best practice guidance and is in accordance with policy CS17 of the Core Strategy and Urban Core Plan and Part 14 of the NPPF.

Reason for prior to commencement condition

Because installation of drainage in the ground will be one of the initial works undertaken once the development commences and it will need to be ensured in advance of this that the proposed drainage scheme is adequate.

13

The development shall be implemented in complete accordance with the Final Drainage Scheme approved under condition 12.

Reason

To demonstrate that the final detailed drainage design follows best practice guidance and is in accordance with policy CS17 of the Core Strategy and Urban Core Plan and Part 14 of the NPPF.

14

Prior to commencement of development a detailed Drainage Construction Method Statement (DCMS) for the development shall be submitted to and approved in writing by the Local Planning Authority. In particular, the DCMS will confirm how the existing drainage crossing the site will be protected and maintained during works with reference to a scheme for diversion of the existing drainage with evidence of agreement with the drainage owner.

Reason

To prevent nuisance in the interests of amenity and highway safety, in accordance with Local Plan policies CS13, CS14, MSGP15 and MSGP17 and Parts 9, 12 and 15 of the NPPF.

Reason for prior to commencement condition

Because initial ground works would impact on existing drainage beneath the site and could also generate new surface water flows, as such it will need to be demonstrated how these issues will be dealt with before any works to commence the development begin.

15

The DCMS approved under condition 14 shall be adhered to in full at all times during construction of the development.

Reason: To prevent nuisance in the interests of amenity and highway safety, in accordance with Local Plan policies CS13, CS14, MSGP15 and MSGP17 and Parts 9, 12 and 15 of the NPPF.

16

Prior to commencement of the development hereby approved, a Construction Environment Management Plan shall be submitted to, and

approved in writing by the Local Planning Authority. The Statement shall include details of the following:

- a. A Construction Traffic Management Plan (CTMP) including routing of vehicles
- b. details of site compounds
- c. means of travel and parking of vehicles for site operatives, contractors and visitors
- d. details of anticipated deliveries, loading and unloading of plant and materials
- e. storage of plant and materials used in constructing the development
- f. the erection and maintenance of security hoarding
- g. liaison with other contractors in the area
- h. wheel washing facilities and methods to prevent transfer of mud/debris to the highway
- i. a Dust Management Plan (DMP)
- j. a scheme for the recycling/disposing of waste arising from construction works.
- k. the sequencing of the implementation of the development
- l. measures to minimise noise during the construction phase including:
 - i. Selection of appropriate equipment and construction methods;
 - ii. Plant to be located as far away as is reasonably practicable from noise-sensitive receptors;
 - iii. Static plant/equipment fitted with suitable enclosures or screening where practicable;
 - iv. Temporary hoardings/screens around the site boundary or specific activities as appropriate;
 - v. Site personnel instructed on best practice to reduce noise and vibration as part of their induction training and as required prior to specific work activities;
 - vi. Appropriate management of working hours for noisier tasks; and
 - vii. Liaison with residents in advance of works commencing to provide information regarding the programme.
- m. Risk assessment of potentially damaging construction activities upon ecology/biodiversity.
- n. Identification of "biodiversity protection zones" e.g. tree protection zones;
- o. Practical measures (both physical measures and sensitive working practices) to avoid or reduce ecological/biodiversity impacts during construction (may be provided as a set of method statements).
- p. The location and timing of sensitive works to avoid harm to biodiversity features e.g. avoidance of vegetation clearance during the nesting bird season (March to September inclusive).
- q. Any times during construction when specialist ecologists need to be present on site to oversee works e.g. nesting bird checks for any vegetation clearance within the nesting bird season.
- r. Responsible persons and lines of communication for works affecting ecology/biodiversity.
- s. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

t. Use of protective fences, exclusion barriers and warning signs for ecology/biodiversity where appropriate.

Reason

To prevent adverse environmental and amenity impacts during the construction phase, in accordance with Local Plan policies CS13, CS14, MSGP15, MSGP17 and MSGP37 and Parts 9, 12 and 15 of the NPPF.

Reason for prior to commencement condition

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development. The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

17

The CEMP approved under condition 16 shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

To prevent adverse environmental and amenity impacts during the construction phase, in accordance with Local Plan policies CS13, CS14, MSGP15, MSGP17 and MSGP37 and Parts 9, 12 and 15 of the NPPF.

18

Construction of the development hereby approved shall not commence until an Employment and Training Plan which is in accordance with the principles set out in the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016, outlining the potential creation of employment and training opportunities, especially apprenticeships for local people during the construction phases of the development is submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.

19

The construction Employment and Training Plan shall be implemented in accordance with the details submitted and approved under condition 18.

Reason

In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.

20

No development shall commence above damp proof course until a crane method statement, has been submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport.

Reason

In the interest of aerodrome safeguarding and in accordance with Part 9 of the National Planning Policy Framework.

21

The development shall be carried out in complete accordance with the crane method statement approved under condition 20.

Reason

In the interest of aerodrome safeguarding and in accordance with Part 9 of the National Planning Policy Framework.

22

In undertaking the development that is hereby approved, unless otherwise agreed in writing with the Local Planning Authority: No external construction works, works of demolition, construction related deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

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.

23

Prior to first use of any part of the Hotel a Drainage Maintenance Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP should include a site plan identifying ownership and responsibility for all drainage components and SuDs features within the site including diverted pipeline together with a maintenance schedule and inspection checklist. The DMP should identify any drainage components that may require replacement within the lifetime of development and a strategy for their renewal.

Reason: To ensure that the drainage scheme operates at its full potential throughout the development's lifetime in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF.

24

The development shall be carried out in complete accordance with the Drainage Maintenance Plan (DMP) approved under condition 23.

Reason: To ensure that the drainage scheme operates at its full potential throughout the development's lifetime in accordance with policy CS17 of the Core Strategy and Urban Core Plan and the NPPF.

25

Prior to first occupation of the hotel hereby approved full details including the specification and precise locations (as identified on a plan and elevation drawing) of the integrated potential bat roost features (minimum 2no) and integrated bird nesting features (minimum 4no, including features suitable for use by house sparrow *Passer domesticus* and swift *Apus apus*) shall be submitted to and approved in writing by the local planning authority, along with a commitment that thereafter the approved Bat Roost Features and Bird Nesting Features shall be provided in full and retained for the life of the development.

Reason

To maintain the favourable conservation status of the local bat population(s) and priority bird species at or above current levels in accordance with Part 15 of the NPPF and Local Plan policies CS18 and MSGP37.

26

The bat roosting and bird nesting features approved under condition 25 shall be installed as part of the development prior to first occupation of the hotel hereby approved and shall be retained for the lifetime of the development.

Reason

To maintain the favourable conservation status of the local bat population(s) and priority bird species at or above current levels in accordance with Part 15 of the NPPF and Local Plan policies CS18 and MSGP37.

27

Prior to first occupation of the Hotel hereby approved, a lighting design strategy for biodiversity (prepared in consultation with a Suitably Qualified Ecologist) for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. Identify those areas/features on site or adjacent to site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places (including any bat roost features installed as part of the proposals) or along important routes used to access key areas of their territory, for example, for foraging; and
- b. Show how and where external lighting will be installed (through the provision lighting contour plans and technical specifications where appropriate) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Reason

To maintain the value and function of the site for roosting, foraging and commuting bats in accordance with Local Plan policies CS18, MSGP36 and MSGP37 and Part 15 of the NPPF.

28

All external lighting shall be installed in accordance with the specifications and locations approved under condition 27 prior to first use of the hotel hereby approved and shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To maintain the value and function of the site for roosting, foraging and commuting bats in accordance with Local Plan policies CS18, MSGP36 and MSGP37 and Part 15 of the NPPF.

29

Notwithstanding the submitted details, prior to the commencement of any external landscaping works details of a biodiversity net gain compensatory scheme, including the means of on and off site delivery, which delivers a measurable net gain of at least 7.5% for biodiversity, as demonstrated through application of a Defra Biodiversity Net Gain

Metric 3.1, 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 and improves the local and natural environment in accordance with the NPPF and policies CS18, MSGP36 and MSGP37 of the Local Plan.

30

Notwithstanding the submitted information, prior to the commencement of any external landscaping works full details of the on site soft landscaping and areas of habitat creation, including timetables for implementation, planting species, sizes, layout, densities, numbers, planting procedures or specification and the establishment regime, including watering, rabbit protection, tree stakes, guards etc. shall be 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.

31

Use of the Hotel hereby approved shall not commence 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.

32

The approved biodiversity net gain compensation scheme, including both on and off site measures, shall be implemented in full accordance with the measures and timetables approved under conditions 29-31, 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.

33

Prior to installation of any external finishing materials to the hotel building details of the make, colour and texture of all walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the appearance of the surrounding area, in accordance with Policies MSGP24 and CS15 of the Local Plan for Gateshead and Part 12 of the NPPF.

34

The external materials for the hotel building approved under condition 33 shall be implemented in full accordance with the approved details as part of the development.

Reason

In the interests of the appearance of the surrounding area, in accordance with Policies MSGP24 and CS15 of the Local Plan for Gateshead and Part 12 of the NPPF.

35

Notwithstanding the submitted plans prior to the commencement of any external landscaping works a hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include precise details of:

- a. the specification, appearance and siting of all new hard surfacing materials, both within and outside the extent of the public highway, shall be submitted to and approved in writing by the Local Planning Authority. The existing highway layout, both public and private, should be superimposed onto a drawing of the proposed hard surfacing treatments for clarity to ensure there is no encroachment of existing features. Details of the interface between the public and private realm and confirmation of all proposed footway widths shall be provided. Proposed hard surfacing materials should follow the established Gateshead Quays palate.
- b. all retaining walls and structures, including location, materials, levels, sections and method of construction adjacent to the existing public and private highway.
- c. Other hard landscaping features including but not limited to steps, ramps, non-retaining walls, raised beds, external seating, street furniture and wind mitigation screens. All features should follow the established Gateshead Quays palate.

Reason

To ensure the development relates acceptably to the character and appearance of the surrounding area and does not result in any adverse impacts on highway safety, in accordance with Local Plan policies CS13, CS15, UC12, QB3, MSGP15 and MSGP24 and Parts 9 and 12 of the NPPF.

36

The hard landscaping scheme approved under condition 35 shall be implemented in full accordance with the approved details prior to first occupation of the hotel hereby approved.

Reason

To ensure the development relates acceptably to the character and appearance of the surrounding area and does not result in any adverse impacts on highway safety, in accordance with Local Plan policies CS13, CS15, UC12, QB3, MSGP15 and MSGP24 and Parts 9 and 12 of the NPPF.

37

Notwithstanding the submitted plans prior to the commencement of any works to form the pick up and drop off facility on Quarryfield Road and associated features precise details of the pick up and drop off facility , including layout and tie-in; materials; levels; drainage; streetlighting; signs; street furniture; and amendments to existing traffic calming features and road markings on Quarryfield Road shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the pick up and drop off facility does not result in any adverse impacts upon highway safety, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

38

The pick up and drop off facility on Quarryfield Road shall be constructed in complete accordance with the details approved under condition 37 and made available for use prior to first occupation of the hotel hereby approved and retained thereafter for the lifetime of the development.

Reason

To ensure the pick up and drop off facility does not result in any adverse impacts upon highway safety, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

39

Notwithstanding the submitted details, prior to first use of the hotel hereby approved precise details of the location, type, material, fixings

and spacing of short stay and long stay cycle stands, secure and weather resistant long stay cycle enclosure, storage facilities for equipment and accessories and routes to access cycle parking shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 28 no. long stay cycle spaces and a ratio of 2 no. short stay cycle spaces per 50sqm of public floor space available to non-residents shall be provided.

Reason

In order to promote cycling as part of the development, in accordance with Local Plan policies CS13, QB3, UC6 and MSGP15 and Part 9 of the NPPF.

40

The long and short stay cycle parking facilities, storage facilities for equipment and accessories and routes to access cycle parking shall be implemented in complete accordance with the details approved under condition 39, made available for use prior to first occupation of the hotel hereby approved and retained thereafter for the lifetime of the development.

Reason

In order to promote cycling as part of the development, in accordance with Local Plan policies CS13, QB3, UC6 and MSGP15 and Part 9 of the NPPF.

41

Notwithstanding the submitted plans a shared use cycle and pedestrian path shall be provided from the junction of Hawks Road and Quarryfield Road tying into the existing segregated footway and cycleway on Quarryfield Road to the south of the site in front of the Riga Building. Prior to first use of the hotel precise details of the shared use path, including layout and tie-in; materials; levels; drainage; streetlighting; and signs shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to promote active and sustainable travel as part of the development, in accordance with Local Plan policies CS13, QB3, UC6 and MSGP15 and Part 9 of the NPPF.

42

The shared use cycle and pedestrian path on Quarryfield Road shall be implemented in complete accordance with the details approved under condition 41, made available for use prior to first occupation of the hotel hereby approved and retained thereafter for the lifetime of the development.

Reason

In order to promote active and sustainable travel as part of the development, in accordance with Local Plan policies CS13, QB3, UC6 and MSGP15 and Part 9 of the NPPF.

43

Notwithstanding the submitted details, prior to the commencement of any works to form the service yard and associated vehicle access precise details of proposed levels and sections for the service yard ramp shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the ramp to the service yard is capable of safely accommodating service, refuse and other larger vehicles, without resulting in any highway safety issues, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

44

The service yard ramp shall be constructed in accordance with the details approved under condition 43, made available for use prior to first occupation of the hotel hereby approved and retained as such thereafter.

Reason

To ensure the ramp to the service yard is capable of safely accommodating service, refuse and other larger vehicles, without resulting in any highway safety issues, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

45

Prior to first use of the hotel hereby approved, a Delivery and Refuse Management Strategy (DRMS) shall be submitted to and approved in writing by the Local Planning Authority. The DRMS shall ensure the development does not result in any adverse impacts to other users of the Baltic Quarter access road and should include a schedule of anticipated deliveries; an explanation of how the maximum size of vehicles will be controlled; and how the area will be kept clear and operate in a safe manner at all times.

Reason

In the interest of highway safety, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

46

The DRMS approved under condition 45 shall be adhered to in full at all times when the hotel is operational for the lifetime of the development.

Reason

In the interest of highway safety, in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

47

Unless otherwise agreed in writing with the Local Planning Authority, full details of the following pedestrian improvement measures together with a timetable for their delivery to support the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development:

- a. Mill Road/Quarryfield Road/Hawks Road junction signal timings and layout changes; and
- b. A way-marking strategy directing pedestrians between the development site and Gateshead interchange/town centre, as well as though the site and to and from car parks.

Reason

To ensure adequate pedestrian infrastructure provision is provided to safeguard highway safety in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

48

The details approved under condition 47 shall be implemented in accordance with the approved timetable and retained as such thereafter.

Reason

To ensure adequate pedestrian infrastructure provision is provided to safeguard highway safety in accordance with Local Plan policies CS13, QB3 and MSGP15 and Part 9 of the NPPF.

49

The hotel hereby approved shall not be occupied until a Full Travel Plan for staff, hotel guests and visitors has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall detail the delivery mechanism for its implementation in order to provide for but not limited to the following measures:

- a. 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.
- b. Appointment of a travel plan co-ordinator and identification of associated budget

- c. Clearly defined objectives, targets and indicators
- d. Details of proposed measures
- e. Detailed timetable for implementing measures
- f. Proposals for maintaining momentum and publicising success
- g. A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- h. Commitment to the use of the Council's preferred monitoring database
- i. Details of any complementary or discounted travel tickets for employees

Reason

To ensure an appropriate long term management strategy to encourage sustainable travel at the site, in accordance with policies CS13, QB3, MSGP14 and MSGP15 of the Local Plan for Gateshead and Part 9 of the NPPF.

50

Within 18 months of the date of approval of condition 49, evidence of the implementation of the Travel Plan approved under condition 49 over a minimum period of 12 months, and any necessary 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 policies CS13, QB3, MSGP14 and MSGP15 of the Local Plan for Gateshead and Part 9 of the NPPF.

51

The Full Travel Plan approved under condition 49 shall be implemented on commencement of the use of the hotel hereby approved. The Full Travel Plan and any revisions approved under conditions 49 and 50 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 policies CS13, QB3,

MSGP14 and MSGP15 of the Local Plan for Gateshead and Part 9 of the NPPF.

52

No roof top plant shall be installed until precise details of plant noise mitigation and an updated noise impact assessment demonstrating noise levels would not be greater than those specified in Section 5.3 of the Noise Impact Assessment (Cundall, Document Ref: GQH-CDL-ZZ-XX-RP-AS-45220 Rev P03, dated: 8 February 2023) at sensitive receptors.

Reason

In the interests of preventing noise outbreak and maintain a good level of amenity for local residents and users, in accordance with Local Plan policies CS14, MSGP17 and MSGP18 and Parts 12 and 15 of the NPPF.

53

Noise mitigation approved under condition 52 shall be installed prior to first use of any roof top plant and maintained in accordance with the manufacturer's specification for the lifetime of the development.

Reason

In the interests of preventing noise outbreak and maintain a good level of amenity for local residents and users, in accordance with Local Plan policies CS14, MSGP17 and MSGP18 and Parts 12 and 15 of the NPPF.

54

No new cooking or extraction/ventilation equipment associated with the hotel hereby approved shall be installed until final details of such equipment (including measures for maintenance) have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of proposed flue(s), all proposed cooking processes, a plan of the proposed ventilation system, odour and noise abatement measures including the location and details of the filters, fans and flues and the manufacturers' recommendations concerning frequency and type of maintenance.

Reason

To ensure that the development would not result in an unacceptable level of disturbance to or odours at neighbouring properties, in accordance with Local Plan policies CS14, MSGP17 and MSGP18 and Parts 12 and 15 of the NPPF.

55

The extraction and ventilation equipment approved under condition 54 shall be installed and maintained in accordance with the approved details for the lifetime of the development.

A written record of any maintenance shall be retained on site and be made available for inspection by the Local Planning Authority upon request.

Reason

To ensure that the development would not result in an unacceptable level of disturbance to or odours at neighbouring properties, in accordance with Local Plan policies CS14, MSGP17 and MSGP18 and Parts 12 and 15 of the NPPF.

56

The development hereby approved shall incorporate glazing to all windows and glazing with sound reduction values equal to or better than the levels set out in table 6-1 of the Noise Impact Assessment (Cundall, Document Ref: GQH-CDL-ZZ-XX-RP-AS-45220 Rev P03, dated: 8 February 2023).

Reason

In the interests of preventing noise outbreak and maintain a good level of amenity for local residents and users, in accordance with Local Plan policies CS14, MSGP17 and MSGP18 and Parts 12 and 15 of the NPPF.

57

A scheme for public art that reflects the approach, opportunities and scope advocated in the Artwork strategy in Section 5.12 of the Design and Access Statement (Ref: NGQ-AHR-HT-ZZ-RP-A-08700 Rev P4, dated: 25.11.2022) shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved.

Reason

To accommodate public art into the development and ensure the development is well related to the character of the surroundings, in accordance with Local Plan policies CS15, UC12, UC17, QB3 and MSGP24 and Part 12 of the NPPF.

58

The public art approved under condition 57 shall be implemented in complete accordance with the approved details prior to first use of the hotel hereby approved and retained for the lifetime of the development.

Reason

To accommodate public art into the development and ensure the development is well related to the character of the surroundings, in accordance with Local Plan policies CS15, UC12, UC17, QB3 and MSGP24 and Part 12 of the NPPF.

59

Prior to first occupation of the Hotel hereby approved, an updated Wind Microclimate Assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of further mitigation measures proposed, such as wind mitigation screens, and further wind modelling taking into account landscaping surrounding the Multi Storey Car Park to the east of the site.

Reason

To safeguard the amenities of highway users in accordance with Local Plan policies CS13, CS14, MSGP15 and MSGP17 and Parts 9 and 12 of the NPPF.

60

The wind mitigation approved under condition 59 shall be implemented in full in accordance with the agreed details prior to first occupation of the Hotel.

Reason

To safeguard the amenities of highway users in accordance with Local Plan policies CS13, CS14, MSGP15 and MSGP17 and Parts 9 and 12 of the NPPF.

61

Unless otherwise agreed in writing by the local planning authority, prior to first occupation of the hotel hereby approved, an Employment and Training Plan which is in accordance with the principles set out in the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016 , which sets out the potential creation of employment and training opportunities, especially apprenticeships for local people during the operation of the hotel shall be submitted to and approved in writing by the Local Planning Authority.

Reason

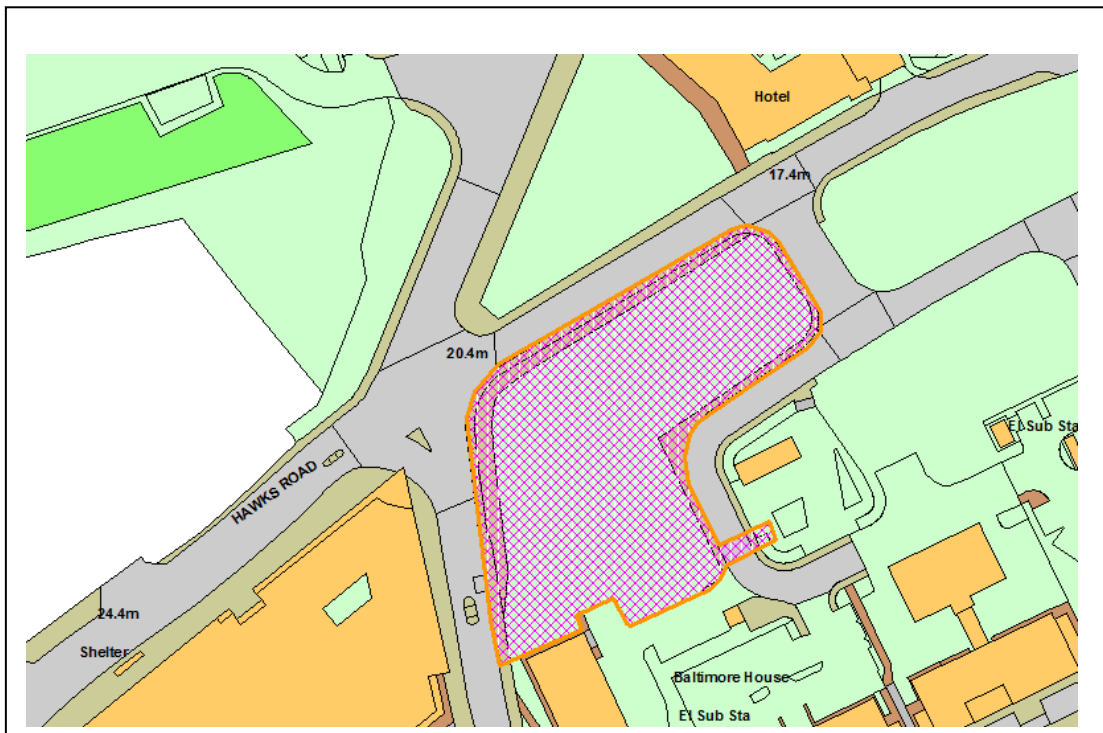
In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.

62

The hotel operation Employment and Training Plan shall be implemented in accordance with the details submitted and approved under condition 61.

Reason

In the interests of providing employment and training opportunities in line with the NPPF and the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016.



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REPORT OF THE STRATEGIC DIRECTOR CLIMATE CHANGE.COMPLIANCE, PLANNING AND TRANSPORT

TO THE PLANNING AND DEVELOPMENT COMMITTEE ON 22 MARCH 2023:

PART TWO: THE FOLLOWING APPLICATIONS, DETERMINED SINCE THE LAST COMMITTEE MEETING IN ACCORDANCE WITH THE POWERS DELEGATED UNDER PART 3, SCHEDULE 2 (DELEGATIONS TO MANAGERS) OF THE COUNCIL CONSTITUTION, ARE LISTED FOR INFORMATION ONLY.

Application ref.	Nature of proposed development	Location of proposed development	Decision	Ward
DC/21/01127/HHA	Proposed single storey front and rear extensions (as amended 02.02.23)	Bomet , 27 Axwell Park Road,	Granted;	Blaydon
DC/21/01343/HHA	Proposed 2 storey rear and single storey side extension (description amended January 2023)	19 Carlton Terrace, Gateshead,	Granted;	Low Fell
DC/21/01340/CPE	CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR DEVELOPMENT: Use of land for agriculture (smallholding).	Land Adjacent To , 12 Tyne View,	Granted;	Crawcrook And Greenside
DC/21/01397/HHA	Single storey rear extensions, dormer window to front and rear (as amended 02.02.23)	8 Carlton Terrace, Low Fell,	Granted;	Low Fell

DC/22/00033/HHA	Proposed single storey rear and side extension (Scheme amended November 2022)	Thornbank , Stirling Avenue,	Granted;	Chopwell And Rowlands Gill
DC/22/00490/FUL	Conversion of former residential care home to 13 flats (use class C3) (Phase 2) (amended 29/05/22, 12/06/22, 29/06/22, 05/09/22 and 09/01/23, and additional information received 21/07/22, 21/12/22 and 13/02/23).	Valley View Residential Home, Burn Road,	Granted;	Winlaton And High Spen
DC/22/00435/HHA	Proposed loft conversion with 1 velux window to front and 2 to rear (amended 12.10.22)	8 Dene Road, Blaydon Central,	Granted;	Blaydon
DC/22/00497/HHA	Proposed first floor rear extension	Eldon , 37 Dene Avenue,	Granted;	Chopwell And Rowlands Gill
DC/22/00640/HHA	Proposed First floor side extension over existing garage	14 Lintzford Gardens, Rowlands Gill,	Granted;	Chopwell And Rowlands Gill
DC/22/00806/HHA	Proposed demolition and rebuild of rear conservatory and rear boundary wall	50 Church Road, Low Fell,	Granted;	High Fell
DC/22/00855/CPL	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OR DEVELOPMENT: Erection of rear dormer. (as amended 13.12.22)	Ruffside , 15 Burn Road,	Granted;	Winlaton And High Spen

DC/22/00858/HHA	Single-storey side extension, dormer window to rear and 4 velux windows to front (as amended 13.01.23)	1 Armitage Gardens, Eighton Banks,	Granted;	Lamesley
DC/22/00999/HHA	Renew the render to both properties at No7 + No8 Axwell Park School Houses	7 _ 8 School Houses , Axwell Park,	Granted;	Blaydon
DC/22/01134/FUL	Erection of a shed, polytunnel and 2no. greenhouses (retrospective application).	Land Adjacent To, 12 Tyne View,	Granted;	Crawcrook And Greenside
DC/22/01057/HHA	Single storey rear extension (as amended 01.12.22)	Brunstock , 8 West High Horse Close,	Granted;	Winlaton And High Spen
DC/22/01227/HHA	Front and side extension with garage conversion	Greba, 21 Balfour Terrace,	Granted;	Chopwell And Rowlands Gill
DC/22/01193/TPO	Tree works at Bircholme	Birchholme, The Drive,	Granted;	Saltwell
DC/22/01178/HHA	Demolition of existing entry porch on east elevation. Construction of single storey extension to east elevation comprising entry porch and extension to lounge.	15 Albert Street, Victoria Garesfield,	Granted;	Chopwell And Rowlands Gill
DC/22/01197/HHA	Single storey rear extension	7 Gill Burn, Rowlands Gill Central,	Granted;	Chopwell And Rowlands Gill

DC/22/01213/HHA	Proposed roof light and dormer to front elevation and rooflight to rear - (Resubmission of DC/21/00702/HHA) Amended 24/1/2023 to remove roof light from front roof elevation and add to the rear slope	Maxton , Church Drive,	Granted;	High Fell
DC/22/01225/HHA	Front Access Ramp.	11 Thistley Green, Bill Quay,	Granted;	Pelaw And Heworth
DC/22/01252/FUL	Continued siting of modular linked portable buildings within northern boundary of hospital to provide training/consulting rooms (on a permanent basis).	Queen Elizabeth Hospital, Queen Elizabeth Avenue,	Granted;	High Fell
DC/22/01248/CPL	CERTIFICATE OF LAWFULNESS FOR PROPOSED DEVELOPMENT: Proposed flat roof dormer to side and rooflights (additional information submitted and plan submitted on 03.01.23) As amended by plans received on 15/02/2023	9 Berkley Avenue, Axwell Park,	Granted;	Blaydon
DC/22/01256/HHA	Proposed single-storey side and rear extension with rear terraced area	25 Heathfield Place, Low Fell,	Granted;	Saltwell
DC/22/01262/HHA	Single storey rear Extension	52 Exeter Street, Gateshead,	Granted;	Saltwell

DC/22/01275/FUL	Construction of pergola in garden area to west of dwellinghouse (retrosepctive application).	3 Lavender Gardens, Low Fell,	Refused;	Low Fell
DC/22/01269/HHA	Resubmission of previously approved two-storey side extension, single-storey rear extension and detached garage (DC/22/00626/HHA) to reposition the approved garage (11/01/23).	7 Millfield Road, Newcastle Upon Tyne,	Granted;	Dunston Hill And Whickham East
DC/22/01294/HHA	Front and rear single storey and 2 storey side extensions with 2 dormers to rear of roof - amended 11/1/22 to add 2 rooflights	17 Thorne Avenue, Wardley,	Granted;	Wardley And Leam Lane
DC/22/01307/HHA	Proposed pitched roof dormer and Velux window to front roof slope, flat roof dormer to rear roof slope, and first floor rear extension (Amended 16/2/23 - projection of first floor rear extension reduced from 5m to 4m)	26 Lincoln Street, Bensham,	Granted;	Bridges

DC/22/01330/FUL	Demolition of existing brick bin store enclosure and relocation to new position, installation of palisade fence and gate to create a new bin store secure enclosure atop earth retaining wall and installation of palisade fence and gate to create new air source heat pump secure enclosure containing 5 no. air source heat pumps	Clover Hill Community Primary School, Glenhurst Drive,	Granted;	Whickham South And Sunnside
DC/22/01315/TPO	Tree works on land attached to Millway Centre	River Tyne Academy, The Millway Centre,	Granted;	Deckham
DC/22/01323/HHA	Single Storey Side and Rear Extension	23 Oakwood Avenue, Lyndhurst,	Granted;	Chowdene
DC/22/01331/HHA	Resubmission of application DC/20/00290/HHA for a 2 storey extension to side of house and single storey rear extension, to increase the projection of the rear extension from 1.5m to 2.5m	15 Belle Vue Bank, Low Fell,	Granted;	Low Fell
DC/22/01339/CDPA	DETERMINATION OF PRIOR APPROVAL: Change of use of existing agricultural building to one dwelling.	Land To The West Of Kyo Lane, ,	Refused;	Crawcrook And Greenside
DC/22/01340/TPO	Pollard Willow tree T8 located to front of Christ Church	Christ Church, Carlisle Street,	Granted;	Felling

DC/22/01346/HHA	Proposed first floor rear extension	16 Parklands Way, Wardley,	Granted;	Wardley And Leam Lane
DC/22/01342/OUT	Outline permission for demolition of the existing buildings on site and erection of 8 dwellings with associated access and layout (all other matters reserved) (Amended plans received 24.01.2023 and 31.01.2023)	Gregorys Carpets And 3 Split Crow Road, Phoenix Park,	Granted;	Deckham
DC/22/01350/HHA	Part retrospective first floor side extension and garage conversion	71 Glenluce, Birtley,	Granted;	Birtley
DC/22/01352/HHA	Rear and side single storey conservatory.	3 Broadleaf Walk, Northside,	Granted;	Birtley
DC/22/01356/HHA	External works to provide front stepped access.	25 Knoll Rise, Gateshead,	Granted;	Dunston Hill And Whickham East
DC/22/01373/COU	Change of use of mall space (Sui Generis) to retail (Use Class E).	Mall Space Adjacent To Unit 262-269 (Zara) , Red Mall,	Granted;	Whickham North
DC/22/01377/FUL	Variation of condition 1 (approved plans) and 6 (implement site access) of planning permission DC/20/00065/FUL to allow changes to approved site access. (Amended plans 15/02/23 and 16/02/23)	Redlands, Church Street,	Granted;	Whickham South And Sunnyside

DC/23/00002/HHA	Proposed conservatory addition to rear of existing dwelling	Failte, 60 Sunderland Road Villas,	Granted;	Pelaw And Heworth
DC/23/00024/HHA	Erection of a single-storey rear extension	32 Elsdon Road, Whickham,	Granted;	Whickham North
DC/23/00028/HHA	Proposed single storey rear/side extension and installation of log burner flue.	8 Broadside, Felling,	Granted;	Pelaw And Heworth
DC/23/00036/CPL	CERTIFICATE OF LAWFULNESS FOR PROPOSED DEVELOPMENT: Addition of sandstone slip finish to external walls of the building, and the raising of the flat roof by approximately 200mm, so that ceilings are flush throughout the existing building.	Ryton Deli, Lane Head,	Granted;	Ryton Crookhill And Stella
DC/23/00068/DEM	DETERMINATION OF PRIOR APPROVAL: Demolition of flats (Nos 1-66).	Sir Godfrey Thomson Court (1-66), Felling,	Granted;	Felling
DC/23/00084/TPO	Pruning works to Beech tree located within the woodland to the rear of 14 Pennyfine Road. Remove medium sized limb that over hangs garden (marked red on submitted photo).	14 Pennyfine Road, Sunnyside,	Granted;	Whickham South And Sunnyside

DC/23/00086/TPO

Pruning works to Ash tree located within the woodland to the rear of 16 Pennyfine Road. Prune back limbs over hanging property boundary to suitable growth point to prevent damage to summer house that will be located close to tree and remove major deadwood.

16 Pennyfine Road, Sunnyside,

Granted;

Whickham
South And
Sunnyside

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TITLE OF REPORT: Enforcement Team Activity

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

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 09.02.23 and ending 08.03.23 the enforcement team has received 119 new service requests. The enforcement team currently has 511 cases under investigation.

TYPE OF SERVICE REQUEST	NEW SERVICE REQUESTS RECEIVED	CASES ALLOCATED TO OFFICER	CASES RESOLVED	UNDER INVESTIGATION	PENDING PROSECUTIONS
Planning	39	14	62	250	1
Empty/vacant properties & sites	8	8	2	43	0
Highways	20	11	12	128	0
Abandoned vehicles	32	32	36	8	0
Waste investigations	20	20	10	82	0
TOTALS	119	85	122	511	1

COURT HEARINGS

Colin Scott attended Gateshead Magistrates Court on 08 March 2023 and pleaded guilty to offences under S.34 of the Environmental Protection Act 1990 for fly tipping. Mr Scott is a fencing contractor and gardener trading as T.C. Garden Maintenance. Fencing that was removed from St Edmonds Drive in Felling was deposited on Galloping Green Road, Eighton Banks, obstructing the footpath and part of the road in June 2022. The wood was positioned just out of sight of some recently installed CCTV, this being a common site for fly-tipping. Mr Scott has been fined £300 plus surcharge of £32 and £100 costs.



**REPORT TO PLANNING AND
DEVELOPMENT COMMITTEE**

22nd March 2023

TITLE OF REPORT: Enforcement Action

**REPORT OF: Anneliese Hutchinson, Service Director – Climate
Change, Compliance, Planning and Transport**

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 at Woodhouse Lane, Swalwell (Known as South West Farm Site One)	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	11 January 2016	12 January 2016	15 February 2016	14 March and 4 July 2016	<p>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.</p> <p>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.</p> <p>The Notices requires firstly, the cessation of the unauthorised use and secondly, the removal from the land of the scrap.</p>
	Known as South West Farm Site Two)	Swalwell	Without planning permission the change of use of the land from agriculture and reception, composting and transfer of green waste to a mixed 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.	11 January 2016	12 January 2016	15 February 2016	14 March and 4 July 2016	<p>Both defendants pleaded guilty at Newcastle 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.</p> <p>The site has recently been revisited and it is likely further action will be required.</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 Councils 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>
	(Known as South West Farm Site Three)	Swalwell	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	11 January 2016	12 January 2016	15 February 2016	14 March and 4 July 2016	<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>
								29 th Sep 2018

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
								<p>Allocated to enforcement officer and investigations ongoing. The Environment Agency have been approached for additional support with this investigation and the enforcement team awaiting confirmation of a joint visit.</p> <p>Update 08.02.2023 – Site visit has been undertaken. Owners instructed to tidy the site and remove vehicles not actively being used on the farm. The EA confirms exemption in place for handling of green waste. No evidence of car repair business on site. EA cancelled arranged site meeting and working to rearrange.</p> <p>09.03.2023 – no further update</p>
2.	Blaydon Quarry Lead Road, Gateshead	Crawcrook 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> <p>An appeal has been submitted in relation to the enforcement notice.</p>
3.	Blaydon Quarry Lead Road, Gateshead	Crawcrook 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> <p>Update 08.02.2023 Development management have engaged a minerals and landfill specialist consultant to consider the current planning status of this development and determine an appropriate course of action should further enforcement activity be required.</p> <p>09.03.2023 – no further update</p>
4.	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>

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
								Update 08.02.2023 - Building work has commenced at the rear of the property. Old kitchen has been demolished in preparation for the new development. Gable wall is being repointed. 09.03.2023 – no further update
5.	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	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. The notice has been withdrawn. Officers are currently working with the owners to compile a schedule of repairs and dates for completion. 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. Notice not complied with. A Demolition method statement is being prepared by construction services. Demolition isn't straight forward due to structural integrity of building and presence of asbestos containing materials. 02 March 2022 NEDL have disconnected the electrical supply to the building. Update 09.03.2023 – The building has been demolished and works continue to clear and reinstate the site.
6.	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 The occupier of the site has appealed the notice to the planning inspectorate The Appeal has been determined and the Notice has been upheld. Update 08.02.2023 Section 330 Notices have been served to determine interests in land by all parties known to be involved with the site. This information will be used as the basis for further enforcement action. 09.03.2023 – no further update
7.	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. Update 08.02.2023 Section 330 Notices have been served to determine interests in land by all parties known to be involved with the site. This information will be used as the basis for further enforcement action. 09.03.2023 – no further update
8.	Land at Dunston Mech Club	Dunston and Teams	Untidy Land	10 th October 2022	10 th October 2022	10 th October 2022	31 October 2022	Complaints have been received regarding the condition of the land due to the storage of vehicles in various states of disrepair. This is a complex site

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
	House, Dunston Road.							with multiple landowners and non-registered land. Notices have been issued pursuant to section 43 of the Anti Social Behaviour, Crime and Policing Act 2014 on one land owner and one occupier requiring certain steps to be taken to prevent nuisance or detriment to the amenity of others. Update 09.03.2023 – All vehicles and waste have been removed from site. Notice considered to have been complied with and case now closed.
9.	Kwik Save, High Street, Felling	Felling	Building and land in ruinous and dilapidated condition	27 th April 2022	27 th April 2022	18 th May 2022	5 th September 2022	Complaints have been received regarding the condition of the property and the adjoining land. The site has been subject to a number of arson attacks, fly tipping and other anti-social behaviour. A Notice has been issued pursuant to section 79 (1) of the Building Act 1984 requiring the recipient to either carry out such works of restoration or carry out demolition and remove the resultant rubbish or other materials from the site as specified in the notice. This has been the subject of an appeal. Work is ongoing with Northumbria Police and Tyne and Wear Fire & Rescue service to expedite a resolution. Construction services have also been requested to provide a method statement and costings for demolition, should the local authority be required to undertake works in default. – Works progressing to determine costs of demolition and consideration being given to issuing community protection warning in conjunction with TWFRS and Northumbria Police Update 08.02.2023 – Construction services instructed to progress to tendering stage for demolition 09.03.2023 – no further update
10.	Land On The North Side Of, Barlow Road, Barlow, Blaydon On Tyne,	Winlaton and High Spen	Without planning permission, the erection of two timber buildings on the Land, and the creation of a hard surface of block paving.	19 th October 2022	20 th October 2022	24 th November 2022	30 th March 2023	Complaints have been received regarding the condition of the land. A Notice has been issued pursuant to section 171A(1) of the Town and Country Planning Act requiring the timber buildings to be dismantled; all paving, being block paving and any other paving used in the foundations of the timber buildings to be removed; along with all materials and waste used in connection with or resulting from compliance with the steps required. 09.03.2023 –the two timber buildings have been removed. Work appears to be ongoing to achieve compliance.
11.	Land On The North Side Of, Barlow Road, Barlow, Blaydon On Tyne,	Winlaton and High Spen	Without planning permission, the material change of use of the Land to storage, including the siting of a container and a caravan	19 th October 2022	20 th October 2022	24 th November 2022	16 th February 2023	Complaints have been received regarding the condition of the land. A Notice has been issued pursuant to section 171A(1) of the Town and Country Planning Act requiring that storage on the land permanently ceases; that the storage container and caravan are removed along with all other stored materials and waste. 09.03.2023 –the storage container and caravan have been removed



**REPORT TO PLANNING AND
DEVELOPMENT COMMITTEE
22 March 2023**

TITLE OF REPORT: Planning Appeals

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

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/21/01368/FUL - Land To The West Of Sainsburys Supermarket, Eleventh Avenue, Team Valley, Gateshead

Construction of a building for flexible employment-based development for B8 (Storage and Distribution) or as a Builders' Merchant (Sui Generis), with associated hardstanding, parking and landscaping (amended/additional information received 25 May 2022, 1 August 2022, 31 August 2022, 8 September 2022, 15 September 2022, 30 September 2022 and 14 October 2022 and amended description 19 August 2022).

This was a committee decision refused on 27 October 2022

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 2.

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/21/00916/FUL	Jack And Jo's Nursery Garden Middle Hedgefield Farm Stella Road Ryton	Erection of timber building to provide cafe with associated raised deck and creation of additional parking (retrospective) (revised description 30.11.2021) (amended plans 21.02.2022)	Written	Appeal in Progress
DC/21/00977/FUL	Pear Trees Orchard Road Rowlands Gill NE39 1DN	Demolition of existing bungalow and garage and construction of two new dwelling with vehicular and pedestrian access (Resubmission)	Written	Appeal in Progress
DC/21/01368/FUL	Land To The West Of Sainsburys Supermarket Eleventh Avenue Team Valley Gateshead	Construction of a building for flexible employment-based development for B8 (Storage and Distribution) or as a Builders' Merchant (Sui Generis), with associated hardstanding, parking and landscaping (amended/additional information received 25 May 2022, 1 August 2022, 31 August 2022, 8 September 2022, 15 September 2022, 30 September 2022 and 14 October 2022 and amended description 19 August 2022).	Written	Appeal in Progress

DC/22/00635/CPE	Allotment Gardens West Of Pelaw Youth Centre Shields Road Felling Gateshead NE10 0YH	CERTIFICATE OF LAWFULNESS FOR EXISTING USE OR DEVELOPMENT: Use of land as private general amenity space (Sui Generis). (Additional information received on 15/07/2022 and 10/08/2022)	Written	Appeal in Progress
DC/22/00971/TDPA	Coatsworth Road (west Of Coatsworth Court) Gateshead NE8 1PU	DETERMINATION OF PRIOR APPROVAL: Installation 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Written	Appeal in Progress



REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

22 March 2023

TITLE OF REPORT: Planning Obligations

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

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. 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 22 March 2023.

Recommendations

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

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