

Committee Report

Application No:	DC/19/00224/FUL
Case Officer	Lois Lovely
Date Application Valid	13 March 2019
Applicant	Gateshead Council
Site:	Vacant Site At The Location Of The Former Shipcote Centre Shipcote Lane Gateshead
Ward:	Saltwell
Proposal:	Erection of special education needs primary school for 170 pupils (additional information and amended plan received 22/03/19, 12/04/19, 10/05/19, 13/05/19 and 15/05/19).
Recommendation:	GRANT
Application Type	Full Application

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

The application site is that of the former Saltwell Grammar School and playing fields. The school buildings that were located in the South East corner of the site facing Durham Road were demolished some years ago and more recently the Shipcote Centre that also occupied the south eastern part of the site was demolished. The site is bounded by Avenue Road to the west, Shipcote Lane to the north, Edendale Terrace to the south and Durham Road to the east.

- 1.2 The site is 2.27 hectares of open space that since the school buildings were demolished, accommodated playing fields, however they have not been maintained or in use formally for a number of years. The site gradually falls from 80.0m AOD in the north to the south and has a lower plateau to the south west at approximately 78.3m AOD. There is a raised plateau to the south east of the site, currently occupied by an impermeable multi-use games area supported by a retaining wall and enclosed by open mesh fences, nearest to the boundary with Durham Road. This part of the site is screened by the Shipley Art Gallery and the former education offices now occupied by the Sunderland Talmudical College both facing onto Prince Consort Road and a deep grassed area that supports semi mature tree planting along the Durham Road boundary that wraps around the courts and forms a buffer between the site and the Shipley Art Gallery. There is no hard boundary between the two sites but to the rear there is palisade fence between the Shipley Art Gallery and the site. There is a dwarf brick wall and piers with wrought iron rails between and a double wrought iron gated entrance, all at back of footpath to Durham Road; a legacy of the former school. To the north of the Shipley Art Gallery there is a substantial grassed area that supports mature trees and includes a small car park that separates

the gallery from the Sunderland Talmudical College curtilage; this area affords glimpses of the application site from Prince Consort Road.

- 1.3 The Sunderland Talmudical College occupies the corner plot of the junction of Prince Consort Road and Shipcote Lane with an existing car park enclosed by a 1.2m high close board fence nearest to Shipcote Lane that increase in height to a 1.8m close board fence that forms this part of the eastern boundary of the application site. However, it should be noted that there is an extant planning permission for a two storey extension to the Sunderland Talmudical College (DC/18/01183/FUL). Shipcote Lane is at a higher level than the site at this point thus views are down into the site.
- 1.4 In the mid section of the site facing Shipcote Lane there is a small car park with a grassed verge between the back of footpath and the hard surface that supports an avenue of semi mature trees. A green metal fence that is a legacy of the recycling area part separates the car park from the grassed part of the site. The final section of the site bounding Shipcote Lane is not enclosed by fencing; there are a number of trees and shrubs. On the opposite side of Shipcote Lane are Gateshead Library, the Leisure Centre, Caedmon Hall and two dwellings.
- 1.5 Along the western boundary on Avenue Road the site is at a higher level and is retained by a stone retaining wall along the back of footpath that increases in height from Shipcote Lane along to Edendale Terrace. The site slopes upwards to the east. There is a mature hedge the full length of this boundary with mature trees towards the southern part of this boundary that form a visual screen for the occupants of the terraced dwellings on the opposite side (west) of the Avenue Road.
- 1.6 To the south there are terraces running north to south with the gable ends facing the site on the opposite side of Edendale Terrace. A small business occupies the former corner shop on the Avenue Road/ Edendale Terrace junction. A grass slope forms the boundary with Edendale Terrace with the site sitting at a higher level. A number of mature trees are located on this boundary. There is a substation located part way up Edendale Terrace that is to be retained. The palisade boundary fence of the former Shipcote Centre bounds Edendale Terrace from the substation east towards Durham Road and encloses a part of the site.
- 1.7 The Shipley Art Gallery is a grade II listed building. The Sunderland Talmudical College is a building of local interest.
- 1.8 **DESCRIPTION OF THE PROPOSAL**
The proposal is to erect a single storey bespoke special needs school, including secure external play facilities, a sensory courtyard, hydrotherapy facilities to cater for the needs of children from the ages of 3 to 11 with profound and multiple learning disabilities as well as those with other complex communication and medical needs.

- 1.9 The proposed building is set well back from the perimeter of the site that allows for the retention of the existing mature landscaping with the majority of boundary trees and hedging being retained. In addition, it is proposed to increase planting along all of the boundaries.
- 1.10 The layout of the building comprises a single storey projection on the northern elevation that includes the main entrance to the school and the reception, meeting room, interview room, various offices and the kitchen.
- 1.11 Behind this single storey element lie the sports hall, dining and assembly hall and the hydrotherapy pool with changing facilities that are double height spaces with monopitch roofs.
- 1.12 The sports hall is 6.8m at the lowest part of roof and 9m at the highest point of its roof; the assembly hall that sits between the sports hall and the pool and is 6.2m in height and the pool is 6.7m at the lowest point of the monopitch roof and 8m at its highest.
- 1.13 To the south behind the sports hall, dining hall and pool are various rooms associated with the uses for changing facilities that are accessed from a corridor that runs east to west and directly opposite the dining hall and accessed from this corridor is the fully enclosed courtyard garden.
- 1.14 To the east of the courtyard are Key Stage 1 classrooms that enclose the courtyard then a classroom leg that runs towards the south cranks towards the east. To the west of the courtyard are Key Stage 2 classrooms that enclose the courtyard then a classroom leg continues southwards perpendicular to the boundary of the site creating a V shaped footplate. The height of the two legs is 6.2m. The roof is dual pitch with rooflights on the inner roof planes. The accommodation provides four early years classrooms, seven key stage 1 classrooms and ten key stage 2 classrooms along with smaller soft play rooms, a sensory room, physiotherapy room amongst others associated with the main use of the school.
- 1.15 Each classroom has its own small tarmac break out area enclosed by 1.2m high double sided timber fencing. A path runs from these breakout areas along the western edge of the play areas to the play equipment, outdoor gym equipment, the running track and Multi Use Games Area (MUGA); and the sensory garden and water play area that lie between the two legs of Key Stages 1 and 2. The classrooms that face inwards from the legs have gates directly from the break out areas into the sensory garden.
- 1.16 To the east of the key stage 1 classrooms beyond the break out areas is an area secured by a 1.2m high green mesh fence to the south, by the perimeter fence to the east and the Shipley Art Gallery beyond and the area includes play equipment such as a tunnel through an earth mound, jump hoops and timber logs.

- 1.17 Key external spaces include the sensory rain garden between the two legs of the school, a central courtyard that is enclosed by the building and a water play area towards the south of the two legs of the school building.
- 1.18 The MUGA is proposed to be enclosed by 2m high green mesh fence with 3m high green mesh fence around the goal ends in the south eastern corner of the site screened from Durham Road by the existing trees.
- 1.19 The layout includes car parking for staff and visitors and a drop off area for children to be dropped off at the school and comprises:
50 car park spaces, 20 transition spaces, 10 minibus spaces and 5 cycle hoops under the canopy of building. There is a vehicular entrance and two pedestrian gated entrances, one for pupils the other the main pedestrian entrance.
- 1.20 The layout also includes three swales above ground and an attenuation tank below ground as part of the sustainable urban drainage (SUDS).
- 1.21 The school is designed to meet the needs of 170 children and approximately 100 staff.
- 1.22 The proposed school would accommodate the relocation of the existing Gibside School which has a split arrangement using the Burnthouse Lane site and the Blaydon/Winlaton Children's Centre.
- 1.23 The existing Gibside School meets the needs of pupils aged 3 -11 with profound and multiple learning difficulties. It also meets the needs of pupils with autistic spectrum disorders (ASD) and children with complex communication and medical needs. The school has further developed its Early Years Foundation Stage provision off site at Blaydon/Winlaton Children's Centre.
- 1.24 There are 130 children on roll but despite recently extending the school at Burnthouse Lane demand has rapidly exceeded the accommodation available including insufficient space within Blaydon/Winlaton Children's Centre. The school is not bound to a specific catchment as its specialist facilities serve the entire Borough.
- 1.25 The proposal, as well as relocating the school would allow the children on roll to expand from 130 to 170 and would allow the school to operate from a single site rather than the current split arrangement using the Burnthouse Lane site and the Blaydon/Winlaton Children's Centre.
- 1.26 If permission is granted, it would be intended for the new school to come into operation from Autumn 2020.
- 1.27 The application is supported by the following documents:
 - Tree Survey
 - Coal Mining Risk Assessment
 - Preliminary Ecological Appraisal
 - Flood Risk Assessment
 - Ground Investigation Document

Design and Access and Heritage Statement

1.28 PLANNING HISTORY

DC/18/01183/FUL VARIATION of condition 1 of DC/18/00494/FUL to allow for the use of render instead of cladding at the Sunderland Talmudical College, Prince Consort Road. Granted 21 January 2019

DC/18/00494/FUL Erection of two storey rear extension (as amended 12.07.2018) at the Sunderland Talmudical College, Prince Consort Road. Granted 23 July 2018

00094/95 Erection of ornamental screen fencing to accommodate recycling bins on hardstanding of playing field. Granted 7 March 1995

2.0 Consultation Responses:

Coal Authority

The Coal Authority has no objection to the proposed development subject to the imposition of a condition or conditions to secure .

* The submission of a scheme of remedial works for approval; and

* Implementation of those remedial works measures.

Northumbria Water

NWL note that a drainage plan has been submitted to support the application, however the details have not yet been agreed with Northumbrian Water. NWL would therefore request a condition requiring a detailed scheme for the disposal of foul and surface water from the development.

Tyne And Wear
Archaeology Officer

There are no known archaeological features on the site, but the site has never been archaeologically investigated.

Apart from the former school which occupied the south-east corner of the site, the rest of the site has remained undeveloped since the 19th century. There is therefore a possibility that archaeological features may exist. It is acknowledged that landscaping to create the playing fields may have truncated or destroyed archaeological remains.

No objection raised subject to archaeological survey and trial trenching (if recommended in the

survey).

Tyne And Wear Fire And
Rescue Service

No objections subject to compliance with advisory
note

Sport England

The proposal would lead to the complete loss of the
playing field / open space at this site.

Aerial photos suggest that most recently the site has
been used as recreational open space. However up
until around 2007 photos suggest that the site
contained a junior football pitch, and so Sport England
would consider that the last formal use of the site was
as playing field.

The planning statement submitted with the application
gives no consideration to the loss of playing field /
open space and the policy test at para 97 of the NPPF.
As none of the exceptional circumstances within Sport
England's Playing Field Directive have been shown to
pertain to the development, it must be concluded that
the proposal does not meet playing field policy or para.
97 of the NPPF.

In light of the above, Sport England objects to the
application because it is not considered to accord with
any of the exceptions to Sport England's Playing
Fields Policy or with Paragraph 97 of the NPPF.

3.0 Representations:

Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) 2015. Ten notices were posted around the perimeter of the site and a notice was published in The Journal on 03.04.2019.

3.1 72 letters of support and 28 letters of objection have been received. The main concerns are:

- Inadequate for the needs of the school's pupils
- Loss of green space
- Loss of trees
- The park is not open at all times and is not flat and not appropriate for sport.
- impacts on specific minority group's access to sporting activity who will have nowhere to play footy
- Additional noise
- Air quality

- Health issues
- Disturbance
- Construction disturbance
- Loss of privacy
- Residential amenity
- Overdevelopment
- Local houses have little outdoor space and site is a community garden, particularly for residents with disabilities.
- Overbearing
- Loss of light to Avenue Road the taller parts should be next to the Shipley Art Gallery.
- Inadequate parking
- Increase in traffic
- No designated crossing
- No current arrangements for residents' parking permits
- A one day traffic survey was done immediately prior to the school holidays
- Devaluation of homes adjacent to the proposed site

4.0 Policies:

DC1P Contamination, derelict land, stability

CS21 Waste

CFR18 Former Saltwell School Site

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV54 Dev on Land Affected by Contamination

MSGP Making Spaces for Growing Places

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV11 Listed Buildings

5.0 Assessment of the Proposal:

The main planning issues for consideration are the principle of the proposal, heritage assets, archaeology, highways, residential amenities, urban design and landscape and other matters.

5.1 PRINCIPLE

Paragraph 94 of the revised NPPF sets out that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. It states that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. The LPA should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools' promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

5.2 The Government's Policy Statement of 15 August 2011; Planning for Schools Development is also of relevance and sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities.

5.3 The Statement also sets out that the development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective and ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

5.4 The policy statement includes a number of principles and those that are relevant to this planning application are:

- o There should be a presumption in favour of the development of state funded schools, as expressed in the NPPF.
- o Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- o Local authorities should make full use of their planning powers to support state-funded schools' applications.
- o Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95 (now superseded by the relevant section of the Planning Practice Guidance).

o Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.

- 5.5 This Policy Statement is considered to be a material planning consideration that should be afforded some weight in the decision-making process.

Saved UDP policy CFR18 which will be replaced by Making Spaces for Growing Places (MSGP) once adopted sets out that the site is allocated for outdoor sports facilities and public open space, pending the possible future use of all or part of the site for an extension to the Shipley Art Gallery or other built public educational, cultural or leisure facilities of borough-wide importance.

- 5.6 It is considered that there is strong policy support for the proposed development. The saved UDP policy CFR18 effectively reserves the site for educational facilities of borough-wide importance (along with other alternative uses). Given that the proposed school covers the whole of the Borough and is not subject to a smaller catchment area, it is considered that it is of borough-wide importance and is therefore in accordance with policy CFR18.
- 5.7 The application site is also allocated in the Council's evolving MSGP Local Plan Document (LPD). The relevant policy is MSGP43 (Saltwell School Site) which allocates the site for educational purposes.
- 5.8 The emerging MSGP will, once adopted, replace remaining saved UDP policies. Policy MSGP43 seeks to allocate this site for "educational purposes". Supporting text at paragraph 7.51 sets out the proposal for the school. The policy can be given some weight in decision-making as no objections have been received during public consultation on this policy.
- 5.9 **Loss of open space / playing field**
As the site is already allocated for outdoor sport and open space pending a development of the type sought, and as no pitches on the site are identified in the Playing Pitch Strategy as contributing to the Borough-wide supply, there is no need for a full assessment of the impact of loss of recreational land or sports facilities.
- 5.10 Although Sport England has objected to the development of this site as they consider it would lead to the complete loss of a playing field.
- 5.11 Aerial images suggest the site last contained formal pitch markings in 2001, while the 'full-sized' goalposts appear to have been replaced by small goalposts (commensurate with an informal 'kickabout' space) by 2008. The site was not identified as a playing pitch in either the 2012 Playing Pitch Strategy (PPS) or the 2016 Playing Pitch Strategy, and as such has not been considered in calculations of pitch supply.
- 5.12 Sport England's objection to the proposal states that its "last formal use was as playing field" in 2007. This observation seems to not take into account the allocation of the site in 2007 under policy CFR18: the site currently provides open space and has done so since at least 2007. It is not clear whether Sport

England objected to the allocation of this site in UDP policy CFR18, but the policy was nonetheless considered 'sound' after the plan's examination. It is also relevant to note that Sport England have not objected to the proposed allocation of this site in MSGP43 at either Draft Plan (Regulation 18) or Submission Draft (Regulation 19) consultation stages.

- 5.13 The 2016 PPS, and the Gateshead Football Plan, prepared concurrently with the PPS, set out a strategy for pitch space in Gateshead that prioritises the provision of artificial 3G pitches at strategic sites, and supporting communities and clubs to take greater responsibility for the maintenance and management of existing pitches, including through community asset transfer of some facilities where appropriate. The Council is working with partners to implement this strategy, which has been endorsed by Sport England and the FA. Given the strategic approach being implemented by the Council (and notwithstanding the long-standing allocation of this site for built community facilities), there is no reasonable likelihood that the site will be brought back into use as a playing field.
- 5.14 Sport England also point out that the application submission does not address the tests at paragraph 97 of the NPPF that reflect a presumption that existing open space should not be built on except in specific circumstances.
- 5.15 Whilst this is strictly correct, Officers are satisfied that, given the above context and in accordance with paragraph 12 of the NPPF, as this application does not conflict with an up-to-date development plan, and due to the overall balance of all material planning considerations, it is considered that this development is acceptable in principle, despite its non-compliance with paragraph 97.
- 5.16 Whilst their concerns are noted, Sport England is a non-statutory consultee in this case, as the playing pitch has not been used for at least 5 years. Therefore, their objection does not trigger the need to consult the Secretary of State, under The Town and Country Planning (Consultation) (England) Direction 2009, before planning permission could be granted.
- 5.17 Given the above, the principle of the proposal is considered to be acceptable and in accordance with NPPF paragraph 94, the Government's 2011 Policy Statement, and, due the allocation of this site since 2007 for development of the type sought, saved UDP policy CFR18, and emerging policy MSGP43.
- 5.18 **HERITAGE ASSETS**
CSUCP Policy CS15 relates to place making and sets out that development will be required to respect and enhance significant views and the setting of heritage assets and promote the use, enjoyment and understanding of the historic environment.
- 5.19 Saved UDP policy ENV11(e) requires that a listed building's special architectural or historic interest must be preserved or enhanced by ensuring that the setting of the building is protected where it is an essential part of the building's character.

- 5.20 Draft policy MSGP26 sets out that development within the setting of a heritage asset will not be permitted if the development dominates the asset or its setting in scale, materials or as a result of siting; or is harmful to its significance.
- 5.21 The site does not lie within a Conservation Area, however will impact upon the setting of designated and non designated heritage assets as assessed below.
- 5.22 NPPF Paragraph 185 sets out (amongst other things) the desirability of sustaining and enhancing the significance of heritage assets and the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- 5.23 Paragraph 189 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 5.24 NPPF Paragraph 190 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.25 NPPF paragraph 192 requires LPAs in determining applications to 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.
- 5.26 Paragraph 194 of the NPPF requires LPAs when considering the impact of a proposed development on the significance of a designated heritage asset, that any harm to, or loss of, the significance of a designated heritage asset from development within its setting, should require clear and convincing justification.
- 5.27 At paragraph 195 the NPPF describes substantial harm and at 196 less than substantial harm. In this instance the impact of the proposal on the setting of the heritage asset is considered would be less than substantial harm.
- 5.28 It is acknowledged that the setting of a heritage asset is not just necessarily limited to visual aspects but can also include other factors such as the historic growth of the area and different uses of an area.

- 5.29 The wider setting of the area consists of a group of civic and educational buildings. The area around these buildings is predominantly residential in character with high density housing. The application site forms a large grassed area although the former Saltwell School was located on the southern part.
- 5.30 It is considered that the proposed development would reflect the historic uses of the surrounding area and the former use of part of the site and in this respect, would maintain the setting of the historic environment.
- 5.31 **Shipleigh Art Gallery - Grade II Listed**
The proposed development would be within the setting of the Shipleigh Art Gallery as it would be constructed directly to the rear of the building. The wider setting of the art gallery is made up of a group of civic and educational buildings with residential properties also present and the large grassed area the application site which the gallery backs onto.
- 5.32 It is considered that part of the setting of the art gallery is derived by its front elevation facing onto Prince Consort Road. From here, there would be glimpses through to the development site, particularly from the gap in between the art gallery and the adjacent former education offices building (now the Talmudical College), although this gap is partly screened by trees.
- 5.33 Given the set back of the proposed development from Prince Consort Road (beyond the rear of the art gallery) and its lower height in comparison there would be negligible impacts on the setting of the front elevation of the art gallery.
- 5.34 When viewed from the application site, the art gallery presents a robust appearance, predominantly made up of brickwork. This part of the setting is influenced by the absence of built development to the rear, which helps to maintain the robust appearance of the rear elevation. This setting has been affected to a small extent by extensions and fencing to the rear of the art gallery.
- 5.35 The limited height of the proposed development would mean that the rear of the Shipleigh Art Gallery could still be seen through the development site and it would still appear significantly higher than the proposed development, thus retaining its robust character from this direction and when looking across the site from the north and south. It is considered that the introduction of tree, hedge and shrub planting along the eastern boundary of the application site would help to screen the fencing to the rear of the art gallery and improve its setting.
- 5.36 The application is supported by contextualised elevations, which demonstrate the height and bulk of the Shipleigh Art Gallery against the proposed building. These demonstrate effectively that the art gallery will retain its dominance in this area.
- 5.37 The materials proposed are brick and render and therefore are simple and clean and do not compete with their surroundings. Final materials details can be secured by conditions (CONDITIONS 31 and 32).

- 5.38 In terms of harm NPPF paragraph 196 is relevant in this case as it is considered the proposal will lead to less than substantial harm to the significance of a designated heritage asset (Shipley Art Gallery), and this harm when weighed against the public benefits of the proposal to provide a boroughwide special needs school facility is balanced.
- 5.39 Sunderland Talmudical College - Council's Local List
NPPF paragraph 197 requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining an 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.
- 5.40 The former education offices building now the Sunderland Talmudical College is included on the Council's Local List. It occupies a prominent location on the crossroads and is adjacent to the Shipley Art Gallery.
- 5.41 Like the art gallery the proposed development would be within the setting of this building. When viewed from Prince Consort Road, there would be views of the development through the gap between the building and the neighbouring Shipley Art Gallery. This gap is partially obscured by trees.
- 5.42 It is considered that given the set back of the proposed development from Prince Consort Road (beyond the rear of the former education offices like the art gallery) and its lower height in comparison there would be negligible impacts on the setting of the former education offices when viewed from Prince Consort Road.
- 5.43 When viewed from Shipcote Lane and its junction with Prince Consort Road, the proposed development would sit alongside the former education offices, albeit separated by a clear gap. The setting of the former education offices from Shipcote Lane has already been affected by the presence of a temporary car park and recently removed recycling area immediately to the west. It is considered that the proposed development would represent a visual improvement to the car park and former recycling area and its lower height to the former education offices and gap separating would ensure that the former educational offices would retain its robust appearance, particularly at the junction.
- 5.44 When viewed from the development site, the western elevation of the former education offices clearly reads as the rear elevation and includes a number of windows, drain pipes and an external fire escape. The rear roof slopes added to the eaves height of the building still give this elevation of the building an element of robustness. Planning permission exists for a two storey rear extension to the former education offices (ref. DC/16/00009/FUL and DC/18/00494/FUL).

- 5.45 Given the lower height of the proposed building, in addition to the gap to the former education offices, it is still considered that the robust elevation of the offices would be retained and there would be no harm to the setting of the building.
- 5.46 It is considered that the proposed development would have a clear separation from the locally listed Gateshead Central Library with Shipcote Lane located in between and will have no detrimental impact on its setting when either viewed from Prince Consort Road or Shipcote Lane.
- 5.47 Other non-designated heritage assets
There would be a significant visual separation between the locally listed Shipcote Baths now known as the Leisure Centre and 14, 16 and 18 Alexandra Road and the proposed development, taking into account the width of Shipcote Lane and the set back of both. This would be apparent when looking in both a westerly and easterly direction along Shipcote Lane. This visual separation would mean that the new development would be less likely to compete visually with the baths and therefore there would be negligible impact on the setting of the baths.
- 5.48 Given the above assessment, subject to the recommended conditions, the proposal is considered to be acceptable with the less than substantial harm caused being outweighed by the public benefits of the proposed special needs school and is therefore in accordance with NPPF paragraphs 190, 193, 196 and 197, CSUCP policy CS15, saved UDP policy ENV11(e) and draft policy MSGP26.
- 5.49 **ARCHAEOLOGY**
NPPF paragraph 199 requires local planning authorities to require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
- 5.50 CSUCP policy CS15 Placemaking requires development to contribute to good place-making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. This will be achieved by investigating to identify and record any potential archaeological features.
- 5.51 There are no known archaeological features on the site, but the site has never been archaeologically investigated.
- 5.52 Apart from the former school which occupied the south-east corner of the site, the rest of the site has remained undeveloped since the 19th century. There is therefore a possibility that archaeological features may exist. It is acknowledged that landscaping to create the playing fields may have truncated or destroyed archaeological remains.

- 5.53 As this is a greenfield site over 1 hectare in size, a geophysical survey of the site will be required, excluding the footprint of the former school buildings. The survey may need to be followed by archaeological trial trenching.
- 5.54 To secure this, conditions for archaeological excavation and recording, an archaeological post excavation report and an archaeological publication report are recommended (CONDITIONS 3, 4 and 5).
- 5.55 Given the above, subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with paragraph 199 of the NPPF, CSUCP Policy CS15 and saved Unitary Development Plan Policies ENV21 and ENV22 and MSGP28.
- 5.56 **HIGHWAYS**
The principle of a SEN primary school on this site is acceptable in highway terms, however it should be noted that the creation of this facility in this area will result in an intensification of movements and high demand for available on-street parking.
- 5.57 It is accepted that the school will not have the level of parent/carer drop off and pick up that a typical primary school of a similar size would be expected to generate, however, staff numbers are high and the need for pupil drop off and pick up within the site makes the proposals more complicated in transport terms.
- 5.58 A transport assessment (TA) has been submitted in support of the application, this has been produced following significant dialogue with the appointed consultants and design team over a period of many months. It is considered that the TA is a particularly robust report in terms of the likely number of vehicle trips that will be generated by the school. In its robustness it does highlight that the proposal will result in increased pressures on the surrounding transport network, particularly in relation to on-street parking demands.
- 5.59 Parking linked to school staff is deemed to be one of two of the biggest issues associated with the site in transport terms, the other is the management of drop offs and pick ups.
- 5.60 For a typical primary school approximately 66 parking spaces would be expected to be provided within the site for a roll of 170 pupils and 130 FTE staff. This site can accommodate 75 spaces, so in absolute terms the numbers are acceptable (if not high), however parking allocated to staff is lower than the 1 space per 2 staff normally used in such assessments, and this is due to the need to accommodate the higher numbers of pick up and drop off spaces within the site boundary. In order to address this shortfall the TA includes analysis of available on-street parking in the area, this concludes that the shortfall on the site could be met by surveyed availability on-street. Whilst this is not ideal and likely to be contentious with local residents, particularly those living in the closest streets, the impacts are unlikely to be so significant or severe to recommend refusal of the application. There are actions that could be taken to

minimise the impact and ensure the school is a courteous neighbour to those local residents.

- 5.61 It should be noted that the trip rates that have been calculated are based on the existing site in Whickham and Blaydon with a level of growth added, as previously stated this is seen as a very robust approach. Additional analysis of the data provided by the school in relation to staff journeys has been carried out, and this has determined that in general terms the proposed site benefits from more frequent bus services, particularly for those staff travelling from within the east of Gateshead and South Tyneside, this clearly has the potential to reduce the reliance on car trips through effective travel planning, addressed later in this section.
- 5.62 The TA has demonstrated that local junctions will continue to operate effectively with the addition of the school trips during the morning and evening peak periods, however there are concerns regarding the arrival and departure patterns associated with the SEN facility. To address these concerns the applicant has submitted and has agreed to implement a car park management plan which will manage arrival and departure times and allow for vehicles to stack within the site when necessary.
- 5.63 The details of the submitted car park management plan are generally accepted, although there are certain elements that require further work and consequently a condition is recommended (CONDITIONS 33 and 34) to secure these changes and to ensure tie in with travel planning associated with the site, for clarity the main areas requiring further work are as follows:
- Communication and enforcement of the measures to be implemented
 - Allocation of staff spaces - the parking should not work on a first come first served basis.
 - Responsibility for separating pedestrian and vehicle arrivals
 - Management of stacking vehicle to ensure no impact on the highway

The TA suggests planning conditions relating to the following should be secured:

- Parking surveys
 - Travel Plan
 - School zig zag markings
- 5.64 As such it is recommended that a condition be imposed requiring post occupation surveys 6 months and 9 months after opening to determine whether additional Traffic Regulation Orders are required to address any on-street parking issues (CONDITION 38). The surveys and any remedial works coming out of these would be paid for by the applicant.
- 5.65 A Travel Plan has not been submitted as part of the supporting information, this can be secured through condition and will be expected to demonstrate a strong emphasis on discouraging single occupancy car trips. Sustainable forms of travel could be incentivised and this approach is encouraged. A range of measures, that are suited to the school environment, should be investigated and a condition is recommended to secure a final travel plan to be agreed 6

months prior to occupation and implemented 3 months prior to occupation to ensure that poor travel patterns are not being established early in the life of the development (CONDITIONS 35 and 36).

- 5.66 School zig zag markings and potentially waiting restrictions will be required along the site boundary, in addition to this further highway works are deemed necessary in the form of:
- A pedestrian refuge on Shipcote Lane to the west of the vehicular and pedestrian entrances.
 - Changes to the orders associated with the parking bays opposite the site entrance to ensure they are available for short term waiting associated with school pick up and drops off for occasions when the site itself is at capacity (CONDITIONS 30).
- 5.67 The details of the access controls on the gate at the main entrance will need to be approved and can be secured by condition (CONDITION 33 and 34).
- 5.68 Final details of cycle parking, motor cycle parking and electric vehicle charging will be also required and can be secured by condition (CONDITIONS 33 and 34).
- 5.69 Clarification should be provided in relation to the parking/storage of school mini buses (CONDITIONS 39).
- 5.70 Given the above, and subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with CSUCP policy CS13 and MSGP16, MSGP17.
- 5.71 **RESIDENTIAL AMENITY**
The design has had regard to the impact on nearby residential properties in terms of loss of privacy and visual impact. The nearest residential properties to the proposed school are those on the opposite (western) side of Avenue Road and the residential properties fronting Edendale Terrace to the south of the site.
- 5.72 The distance from the front elevation of the properties on Avenue Road to the site boundary is 19m, to the break out external play areas it is 28m and to the school building, 38m, therefore the separation distance to Avenue Road is substantial. There will also be the landscaped buffer along the boundary as existing with enhanced planting. As such it is considered that there would be no overlooking or loss of privacy to existing residential amenities arising from the proposed development.
- 5.73 The school finished ground level would be 2.1m higher than the ground level of Avenue Road. The overall height of the building at 9m is at the same height as the ridge height of properties on Avenue Road, although the majority of the building is 6.2m high, however as it is set back 19m into the site along with the boundary landscaping it is considered that the proposed school would not be obtrusive in the street scape nor have an overbearing impact on existing outlook from residential properties on Avenue Road or result in loss of privacy

to the occupants of Avenue Road. As such it is considered there would be no overbearing or unacceptable visual impact.

- 5.74 In respect of the properties fronting Edendale Terrace, the proposed school building would be located a considerable distance (37m), off the southern boundary of the site and 44.5m from the dwellings and would also be partially screened by the boundary planting. The external play area would be 23m from the front elevations of Edendale Terrace. Given the distances involved it is considered this would not result in noise and disturbance, loss of privacy or overlooking or an unacceptable visual impact.
- 5.75 The Sunderland Talmudical College also includes a residential element, along with the extension if constructed. Without the extension the distance from the rear elevation to the proposed school car park would be 16m and with the extension would be 5m. However, the proposed school building is set back 65m from the rear of the Talmudical College and so there could not be any direct overlooking resulting in loss of privacy.
- 5.76 The most likely impact upon the Talmudical College would be comings and goings associated with the car park, dropping off and collection of pupils. Given the hours the school would be open during the day and the majority of vehicle movements would be either morning drop offs or afternoon pick ups. It is not considered that this would have a harmful impact on residential amenity.
- 5.77 The considerations for the residential properties 14, 16 and 18 Alexandra Road also centre around activity in the car park rather than any loss of privacy arising from overlooking from the building and for the same reasons outlined above it is not considered that this would have a harmful impact on residential amenity.
- 5.78 Given the above the proposal is considered to be acceptable and in accordance with the NPPF, CSUCP policy CS14 and Saved UDP policy DC2.
- 5.79 **NOISE**
Neither the noise levels that might be generated from any plant or ventilation systems (air conditioning/ heating/ kitchen extract) nor the location or number of fans, are available at this time. Such detail would be required to identify any potential noise impact on residential amenity and ensure adequate noise attenuation measures are put in place. This information can be secured by conditions (CONDITIONS 40 and 41).
- 5.80 In addition, information has not been provided on how odour will be controlled from the kitchen extraction system. A condition could secure this information for approval prior to the use being brought into operation (CONDITIONS 42 and 43).
- 5.81 In order to protect residents during the construction phase, a condition to require a construction management plan to include working hours and delivery times, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations is recommended to protect residential amenity (CONDITIONS 22).

- 5.82 Finally, also to protect the amenity of residents adjacent to the site once the school is fully operational, it is considered necessary to condition the times for bin collections/ deliveries to the site to allow between 07:00 - 19:00 only (CONDITIONS 37).
- 5.83 Given the above the proposal is considered to be acceptable and in accordance with the NPPF, CSUCP policy CS14 and Saved UDP policy DC2.
- 5.84 **URBAN DESIGN /VISUAL AMENITY/ LANDSCAPE**
The proposed scheme sits well within the site and its form and massing has been thoughtfully considered to provide a respectful response to its context. The proposed materials include a red brick with details picked out with buff brick and timber cladding with dark grey tiles and a metal standing seam roof which have been selected to reflect the local palette in the area, and allows for the contemporary design of the new building to add to the architectural richness of the area but also maintain a strong visual relationship with its neighbouring buildings.
- 5.85 The scale and massing of the proposal is influenced by the surrounding area. The wider area has a tight urban grain with the majority of buildings positioned up to roads and footpaths. However, the application site provides an element of existing mature landscape in an otherwise built up area. The school will take up a relatively large part of the grassed area, however, a significant area of green space would be retained to the south and east and the positioning of the building on the site allows the landscaped boundaries to be retained and enhanced.
- 5.86 The building will not be unduly prominent as it is proposed set back from the site boundaries, however, it is considered important to retain the existing mature landscape that forms part of the character of the street scape of the area.
- 5.87 The scale of the building in terms of height and its position within the site reflects the requirement to take account of the impact of the development on nearby heritage assets as assessed in the earlier Heritage Assets section.
- 5.88 The design of the proposed school is a contemporary "of its time" building and seeks not to slavishly follow the detailing of the surrounding buildings. This is particularly the case in terms of the mono-pitch roof design and simple window detailing.
- 5.89 The characteristic of buildings in the vicinity are of brick construction. The materials have been selected to reflect the local palette in the area and allows for the contemporary design of the new building to add to the architectural richness of the area but also maintain a strong visual relationship with its neighbouring buildings.
- 5.90 Nevertheless, the building still seeks to reflect the qualities of the surrounding area in terms of the predominant use of brick and architectural detailing to break up the elevations such as the use of reveals. Details of materials can be

secured by condition as referred to in the Heritage Asset section of this report (CONDITIONS 31 and 32).

5.91 TREES

The site contains 66 trees and groups of trees that collectively contribute significantly to the character of the site and the local amenity.

- 5.92 The trees form a spatial constraint to any potential development works. It may be acceptable to remove a small number of lower quality trees which will not have a significant negative impact on the tree stock, however all moderate value trees should be afforded full protection where possible.
- 5.93 The layout of the proposed development has been developed to avoid the most significant trees and where it is not possible to completely avoid the area of constraint associated with significant trees a condition will ensure that special measures are utilised to facilitate the works (CONDITIONS 21).
- 5.94 The key consideration for any development activity will be the protection of the surrounding trees including the structure of the soil in which they grow, including from indirect damage via the storage or discharge of materials and the movement and use of plant and machinery. The default position is that all Root Protection Areas and canopies of retained trees must be fenced off as exclusion zones with no access. A tree protection plan has been submitted in support of the application and a condition is recommended to ensure that the measures are implemented and retained during the construction period (CONDITIONS 21).
- 5.95 The cut and fill plan and the layout of the MUGA have been overlaid onto the tree constraints plan to allow an assessment of the impact of the proposed development, including the identification of any trees which are to be removed this has identified that two trees would need to be removed to facilitate the MUGA, however these trees are further in to the site and their removal is considered to be acceptable. However, the cut and fill plan as submitted indicates that a large number of trees would be removed from the Durham Road boundary and this is unacceptable as these trees form a significant screen to the site. Therefore, a condition is recommended to secure amended cut and fill details (CONDITIONS 44 and 45).

5.96 BIODIVERSITY

The site is of low biodiversity value, however, habitats/features including the extensive area of short cut amenity grassland provide some limited opportunities for protected and/or priority species, including house sparrow, starling, song thrush, herring gull, lesser black-backed gull, black headed gull, hedgehog and bats.

- 5.97 In addition to the retention of existing trees and shrubs towards the periphery of the site, the development proposals should seek to retain and enhance the existing privet hedge along the western boundary as part of a progressive landscaping strategy incorporating the use of appropriate native/near native tree and shrub species particularly beneficial to wildlife.

- 5.98 It is considered that a condition requiring an ecological method statement is necessary along with a landscape scheme and management plan (CONDITIONS 25 and 26).
- 5.99 As the residual impacts of the site clearance, construction and operational phases of the development can be effectively controlled through the imposition of the above appropriate worded conditions, it is concluded that the proposed development can be delivered within acceptable ecological limits; in accordance with national and local planning policies.
- 5.100 Given the above and subject to the recommended conditions the proposal is considered to be acceptable and in accordance with the NPPF and CSUCP policy CS18 and Saved UDP policies ENV44 and ENV47.

5.101 GROUND CONDITIONS

The site has been assessed by the Council as being located on potentially contaminated land. The majority of the site appears to have been used as open space/ playing fields apart from school buildings in the south eastern corner. Though the site appears to have never been used for commercial / industrial purposes there is a potential for soil contamination to exist. The main potential contamination source may be in historic made ground deposits or from imported fill materials and waste material used to construct a development platform prior to construction of the former buildings on site. There may also be demolition arisings still evident on site within made ground deposits.

- 5.102 A Remediation Statement that includes mitigation measures has been submitted in support of this application and a condition to secure these measures is recommended (CONDITION 9).
- 5.103 With regard to the risk from Coal Mining, a Phase 2: Ground Investigation Report investigated the risk from potential shallow mine workings recorded to be present at shallow depth below the site. The intrusive investigation revealed that mitigation measures (i.e. grouting) will be required, due to significant broken ground being recorded with insufficient rock cover being present. Conditions can secure the recommended mitigation measures (CONDITIONS 6, 7 and 8).
- 5.104 Following completion of the remediation works a verification report must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved. The Post Remediation Verification Report should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test results and can be secured by condition (CONDITION 10).
- 5.105 Given the above, subject to the recommended conditions, the proposal is considered to be acceptable and in accordance with CSUCP policy CS14 and Saved UDP policy ENV54 and MSGP22.

5.106 DRAINAGE AND FLOOD RISK

It is important to ensure that the development maintains the existing greenfield runoff rates up to 1 in 100 year event including climate change allowances, using SuDS, in accordance with CSUCP policy CS17 and the DEFRA SuDS technical standards. The SuDS design should be in accordance with the Lead Local Flood Authority's advice reflecting NPPF paragraph 165a. The development should also maintain or improve the water quality of any runoff in accordance with CS17.3.

5.107 Drainage conflict with trees

The drainage scheme has been amended to ensure retention of the mature trees on the boundaries.

5.108 Treatment of car park runoff

The proposed bypass separator is not the Lead Local Flood Authority's preferred solution, as it is proposed to be the sole treatment device. The device would be heavily reliant on frequent routine maintenance by the site management team, and a lack of maintenance may not be apparent until a pollution spill occurs. The drainage design has been reviewed as to whether the design could incorporate permeable block paving to all parking bays providing a more reliable and effective pre-treatment function than the separator. However, the applicant has indicated that there is a viability issue given the costs associated with the installation of permeable paving at this site and has concluded that the attenuation tank is the only practical solution.

5.109 Geocellular storage

The proposed geocellular storage will require maintenance and CCTV access. The means of maintenance needs to be clearly demonstrated through product literature and detailed drawings (CONDITION 18).

5.110 Additional drainage information is required and this can be secured by condition (CONDITIONS 12 - 17)

- a drainage assessment to include detailed drawings that indicate the proposed layout of the drainage network, proposed contours, site levels and finished floor levels,
- an electronic drainage model,
- a detailed Health and Safety Assessment,
- a Construction Method Statement (CMS),
- a Management and Maintenance Plan.

5.111 Given the above and subject to the recommended conditions the proposal is considered to be acceptable and in accordance with CSUCP policy CS17 and MSGP30 and MSGP31.

5.112 OTHER MATTERS

A number of objectors queried whether other sites had been considered. As part of the design process, other potential options have been considered. These included essentially doing nothing, expanding the existing sites or looking at other sites.

5.113 Option 1 - do nothing

There is currently no surplus capacity at either of the Burnthouse Lane or Blaydon/Winlaton Children's Centre sites. The forecasted numbers on the roll indicate that if there is no increase in capacity the Local Authority will have to send Gateshead children out of the borough for their educational and welfare needs at a cost.

5.114 Option 2 - increase capacity at existing sites

Extending the capacity at the Burnthouse Lane site could potentially lead to severe impacts on the local highway network. This is evident from the planning application for a previous extension at the site in 2014 (application ref. DC/14/00166/FUL) for an additional 3 classrooms where the Council's Transport Strategy team highlighted their concerns regarding overspill car parking into surrounding areas and that the car park was already full to capacity. It is considered that extending the capacity of the site even further would exacerbate these concerns. The site is also in close proximity to two other schools - Whickham School and Sports College and Fellside Primary School.

5.115 In terms of the Blaydon/Winlaton Children's Centre site, the building is currently an operational children's centre and a short term arrangement is in place whereby the school operate in a defined area of the building due to increased pupil numbers. This restricts the space in which the children's centre can be used which impacts on delivery of services to the community.

5.116 Access and availability of suitable drop off/pick up areas off Shibdon Bank for parents and guardians is an existing concern and would be compounded by increasing numbers.

5.117 Option 3 - alternative sites for the school

Various other sites have also been investigated. These include the site of the former Windmill Hills School, the former Hookergate School, the former Lindisfarne Primary School, land off Whickham Highway and land off Askew Road.

5.118 These sites have been discounted for a number of reasons, including site abnormalities which have included ground conditions and the need to demolish buildings and the allocation of some of the sites for housing development.

5.119 Option 4 (and chosen option) - former Saltwell School site

The proposed site has been chosen due to its planning policy designation for educational facilities and its flat profile and few site abnormalities which will reduce the capital costs relating to ground conditions.

5.120 PUBLIC CONSULTATION

A consultation drop-in session took place at Gateshead Central Library (the first event) on 16th July 2018 between 2pm and 5.30pm with 43 people attending and a further drop-in session (the second event) took place at the existing school site on 17th July 2018 between 2pm and 5.30pm with 71 people attending. People were able to view the plans and make comments.

- 5.121 At the first event, 250 letters of invitation were hand delivered to nearby properties. For the second event, letters were sent to all existing parents/carers as well as text messages and information was shared on social media. The second event also took place at a time when a new cohort of pupils, parents and carers were attending the school in advance of the new school year.
- 5.122 An overview of the comments made were both in support for the scheme and objections to the scheme were made. In addition, a 91-name petition objecting to the proposals was received. The concerns raised were loss of the playing field to the development as it is used by a wide variety of people for sport and recreation and more appropriate sites exist at Windmill Hills School or Brighton Road School which both have better access than the proposed site. The proposal would also add to traffic in an already congested area.
- 5.123 As a result of the consultation, the footprint of the proposed school has been made smaller. This sought to make the proposed development less imposing on the street scape and surrounding properties. In addition, the bin store has been moved from the Avenue Road side of the site to the eastern side of the site. The other options and locations that were considered for the school are set out above.
- 5.124 Whilst it is acknowledged that residents have concerns regarding the loss of the field, unfortunately the very nature of the proposal means that this cannot be avoided, and the site is already allocated in the UDP and emerging MSGP for educational use.

5.125 COMMUNITY INFRASTRUCTURE LEVY

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

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.
- 6.2 It is recommended that planning permission is granted subject to conditions.

7.0 Recommendation:

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

1

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

AL(90)100 Re A Site location plan

AL(90)101 Rev B Topo Plan entitled existing site plan
AL(20)23 Rev A Proposed sections through site
AL(20)10 Rev C Proposed elevations in context
AL(20)22 Rev B Proposed Longitudinal Sections
AL(20)21 Rev B Proposed cross sections
AL(20)20 Rev B Proposed cross sections
AL(20)15 Rev B proposed elevation classroom wings and hidden elevations
AL(20)16 Rev B proposed elevations courtyard
AL(20)11 Rev B proposed elevations north and west rev B
AL(20)12 Rev B proposed elevations south and east
AL(27)01 rev B proposed roof plan
TS-0411-160 Proposed MUGA layout
AL(90)01 Rev D Proposed Site LAYou
TS-0411-106 Rev 0 proposed queuing for pupi drop off pick up
TS-0411-100 Rev C proposed parking layout
TS-0411-101 Rev 0 Proposed parking standard vehicle tracking
102 Rev 0 minibus vehicle tracking
103 rev 0 refuse collection vehicle tracking
104 Rev 0 fire engine vehicle tracking
105 Rev 0 HG rigid vehicle tracking
AL(20001 Rev H proposed floor plan
DR-C-6001 Rev P3 contour plan

Drainage general arrangement TS-0411-501 P3

Aecom DR-L-5002 key external spaces
Aecom 5001 illustrative landscape masterplan
5003 hard landscape plan
4004 landscape details
5005 soft landscape plan
5006 planting palette

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

No groundworks or development shall commence until a programme of archaeological fieldwork (to include geophysical survey, evaluation trenching and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason for condition

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and UC14 and saved Unitary Development Plan Policies ENV21 and ENV22.

Reason for pre commencement condition

To ensure that any archaeological remains on site can be preserved wherever possible and recorded in advance of the commencement of the 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.

4

The buildings shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition (3) has been submitted to and approved in writing by the Local Planning Authority.

Reason:

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and UC14 and saved Unitary Development Plan Policies ENV21 and ENV22.

5

The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason:

The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and UC14 and saved Unitary Development Plan Policies ENV21 and ENV22.

6

Prior to commencement of the development hereby permitted additional Phase II intrusive site investigation works shall be undertaken, in order to ascertain the ground conditions and to establish the presence or otherwise of shallow mine workings and a Phase II Risk Assessment report shall be completed and the findings submitted for the written approval of the Local Planning Authority.

Reason for condition

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land 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 NPPF and Policy DC1p of the Unitary Development Plan and CS21 of the CSUCP.

Reason for prior to commencement condition

The mitigation works to address shallow unrecorded mine workings must be undertaken before the development commences in order to ensure that the site is made safe prior to the commencement of the development to ensure the development can be carried out safely

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.

7

In the event that the need for remedial measures are confirmed following the site investigations approved under condition 6 to treat areas of shallow mine workings, to ensure the safety and stability of the proposed development, prior to commencement of the development hereby permitted, a scheme of remediation shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason for condition

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land 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 Policies DC1 and ENV54 of the Unitary Development Plan and CS14 of the CSUCP.

Reason for prior to commencement condition

The mitigation works to address shallow unrecorded mine workings must be undertaken before the development commences in order to ensure that the site is made safe prior to the commencement of the development to ensure the development can be carried out safely

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.

8

The remediation measures approved under condition 7 shall be undertaken in full accordance with the measures prior to construction of the development hereby permitted above foundation level

Reason

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land 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 Saved Policy ENV54 of the Unitary Development Plan and CS14 of the CSUCP.

9

The details of remediation measures included in the REMEDIAL METHOD STATEMENT prepared by Tim Crowe of IDOM dated January 2019 entitled "GIBSIDE SCHOOL, GATESHEAD, WATES CONSTRUCTION reference RMS-21831-19-10 JANUARY 2019 approved under condition 1, shall be implemented wholly in accordance with the approved remediation measures prior to commencement of the development hereby permitted and maintained for the life of the development.

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

Reason for condition

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

Reason for prior to commencement condition

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.

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.

10

Following completion of the remediation measures approved under condition 9 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted 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 the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

11

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination. Where required by the Local Planning Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

12

Prior to commencement of the development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) a Drainage Assessment shall be submitted. This shall include:

- o Demonstration that the final drainage scheme conforms with the DEFRA Non-Technical Standards for SuDS, and that the drainage hierarchy has been followed with evidence of site investigation in accordance with the CIRIA SuDS Manual (C753).
- o Demonstration that water quality will not be worsened by the development through assessment and consideration of treatment methods, in accordance with CS17.3.
- o Detailed drawings of the drainage network showing clearly numbered pipes, falls, diameters, invert and cover levels that correspond with the submitted drainage model. Proposed contours, external, and finished floor levels should be submitted along with: existing and proposed site sections and levels; long and cross sections of the proposed drainage system; detailed drawings of all SuDS features and connections; detailed landscape plans showing proposed planting, and seeding, in and around SuDS features, including planting schedules and timescales for the implementation of all features

- o An electronic copy of the drainage model is required in Microdrainage format which corresponds with any drawings within the submission. It should include any topographical site layouts or 3d surveys relevant to the drainage design.

- o SuDS Health and Safety Assessment where appropriate consideration and management of any health and safety issues relating to the SuDS implementation features with reference to Appendix B3 of the CIRIA SuDS Manual for best practice.
- o All necessary consents required for off-site works.

Reason for condition

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

Reason for prior to commencement condition

To ensure that it has been demonstrated that the drainage scheme will prevent the risk of flooding prior to construction of the 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.

13

The details of SuDS measures approved under condition 12 shall be implemented wholly in accordance with the approved details and timescales prior to first occupation of the development hereby permitted and maintained for the life of the development

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

14

Prior to commencement of the development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations and remediation) a drainage construction method statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The content of the CMS shall be in accordance with Appendix B6 of the CIRIA SuDS Manual, and Gateshead Interim SuDS Guidelines (Version 2 - March 2016) for best practice:

Reason

To ensure the works do not increase risk of flooding or pollution of watercourses in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

Reason for prior to commencement condition

To ensure that it has been demonstrated that the drainage scheme will prevent the risk of flooding prior to construction of the 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.

15

The drainage construction method statement details approved under condition 14 shall be wholly implemented prior to first occupation of any of the building hereby permitted in accordance with the approved details and retained for the full duration of the development

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

16

Prior to the development hereby permitted progressing above damp proof course, a drainage management and maintenance document shall be submitted for the consideration and written approval of the Local Planning Authority. The content shall be in accordance with Gateshead Interim SuDS Guidelines (Version 2 - March 2016) Appendix B8 of the CIRIA SuDS Manual, for best practice:

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

17

The details approved under condition 16 shall be wholly implemented prior to first occupation of any of the development hereby permitted in accordance with the approved details and retained thereafter for the life of the development

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

18

Prior to the development hereby permitted progressing above damp proof course, details of the means of maintenance and CCTV access of the geocellular storage shall be submitted for the consideration and written approval of the Local Planning Authority. The approved details shall be wholly accorded with for the life of the development thereafter.

Reason

To prevent the increased risk of flooding from any sources in accordance with the NPPF and CSUCP policy CS17.

19

No development shall commence (except for the erection of tree protection measures, site security hoardings and site investigations and remediation) until a Construction Management Plan (CMP) for the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include :

- a dust management plan
- a noise management plan
- pollution prevention measures
- contractor parking
- details of delivery arrangements, hours and routing
- measures to limit and manage transfer of debris on to the highway
- Dampening down of exposed stored materials, which will be stored as far from sensitive receptors as possible;
- Removal of top cover in small areas and not all at once;
- Ensure all vehicles switch off engine when stationary; and
- Avoiding dry sweeping of large areas

Reason for condition

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

Reason for prior to commencement condition

The CMP must demonstrate that the residential amenities of adjacent properties will be protected during construction of the 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.

20

The development hereby permitted shall be undertaken wholly in accordance with the Construction Method Statement approved under condition 19 for the duration of the construction period

Reason:

To ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity in accordance with Saved UDP policies ENV3, DC2 and CSUCP policies CS13, CS14, CS18 and National Planning Policy Framework.

21

Prior to commencement of the development hereby permitted details of the tree protective fencing and location on a plan at 1:200 shall be submitted for consideration and written approval of the Local Planning Authority.

The approved protective fencing must be installed prior to the commencement of development and thereafter retained intact for the full duration of the construction works of the development and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason for condition

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on the trees to be retained by ensuring the trees are retained and protected before the development commences.

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.

22

Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays. Internal works within dwellings shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0800 hours and 1700 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays

Reason

To safeguard the amenities of nearby residents and in accordance with Saved Policy DC2 of the Unitary Development Plan and CS14 of the CSUCP.

23

Prior to construction of the development hereby permitted, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason for condition

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and in order to comply with CSUCP policy CS17 and the NPPF.

Reason for prior to commencement condition

The proposed drainage of the site must demonstrate that it will prevent the increased risk of flooding, improve water quality and improve habitat and amenity before the development commences in order to ensure that an appropriate drainage scheme is identified and agreed prior to the commencement of the 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.

24

Prior to first occupation of the development hereby permitted the details approved under condition 23 shall be wholly implemented in accordance with the approved details and retained for the life of the development thereafter.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of

the surface water drainage system and in order to comply with CSUCP policy CS17 and the NPPF.

25

Prior to commencement of the development hereby permitted (except for the erection of tree protection measures, site security hoardings and site investigations) and notwithstanding the information submitted; a Biodiversity Method Statement covering:

- o protection, creation, enhancement and maintenance of habitats/ecological features to be retained and/or created on site
- o protected and priority species including bats, breeding birds and hedgehog, and;
- o invasive non-native species

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The content of the method statement shall include timescales and details of measures to be implemented to avoid/minimise the residual risk of harm to individual species during the construction and operations phases of the development; and to ensure, where possible, local populations are maintained at or above their current levels.

Reason for condition

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in advance of the commencement of the development hereby permitted.

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.

26

The details approved under condition 25 shall be implemented wholly in accordance with the approved details and adhered to during the construction and operational periods.

Reason

To minimise the risk of harm and long-term adverse impacts of the development on protected and priority species in accordance with CSUCP policy CS18, Saved UDP policies DC1(s) and ENV46 and the NPPF.

27

Development hereby permitted shall not progress above damp proof level, until final details of a fully detailed scheme for the landscaping of the site detailing the retention, creation, enhancement and management of all soft landscaping areas within the site has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include details and proposed timings of hard and soft landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and to ensure adverse impacts on biodiversity are adequately mitigated/compensated in accordance with the NPPF and in accordance with Policies DC1(d) and (e), ENV44, ENV46 and ENV47 of the UDP and policies CS14 and CS18 of the CSUCP.

28

The details approved under condition 27 shall be fully implemented in accordance with the approved specifications and timescales.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and to ensure adverse impacts on biodiversity are adequately mitigated/compensated in accordance with the NPPF and in accordance with Policies DC1(d) and (e), ENV44, ENV46 and ENV47 of the UDP and policies CS14 and CS18 of the CSUCP.

29

The approved landscaping scheme shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

Reason

To ensure that the landscaping scheme becomes well established and is satisfactorily maintained in the interests of the visual amenity of the area and in accordance Saved Policies DC1 and ENV3 of the Unitary Development Plan, CSUCP policies CS15 and CS18 and the NPPF.

30

Prior to the first occupation of the development hereby permitted final details of the highway layout/markings of surrounding streets shall be submitted for the written approval of the Local Planning Authority. The final details shall include school zig zags and a pedestrian crossing refuge on Shipcote Lane and any amendments to the existing parking bays opposite the main entrance to the site.

The approved details shall be implemented prior to occupation of the development hereby permitted.

Reason

In the interest of highway safety and in accordance with the NPPF and CSUCP policy CS13.

31

The development hereby permitted shall not progress above damp proof course until a materials schedule has been submitted for the consideration and written approval of the Local Planning Authority and samples of all materials, colours and finishes to be used on all external surfaces have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

32

The development hereby permitted shall be undertaken wholly in accordance with the materials approved by condition 31 and retained for the life of the development thereafter.

Reason

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

33

Prior to the development hereby permitted progressing above ground level final details relating to the car park management scheme to include:

- Communication and enforcement strategy for the measures to be implemented
- Access control proposals
- Allocation of staff spaces - the parking should not work on a first come first served basis.

- Responsibility for separating pedestrian and vehicle arrivals
- Management of the stacking of vehicles to ensure any impact on the highway is minimised to remove any risk to highway safety
- Final details of cycle parking proposals
- Final details of motorcycle parking
- Final details of electric vehicle charging points

Reason

To ensure adequate site management for all elements of the development and in accordance with the NPPF and CSUCP policy CS13.

34

The details approved under condition 33 shall be implemented wholly in accordance with the approved details and adhered to for the life of the development thereafter unless otherwise agreed by the Local Planning Authority.

Reason

To ensure adequate servicing arrangements are provided for all elements of the development and in accordance with the NPPF and CSUCP policy CS13.

35

The development hereby permitted shall not be occupied until the submission of a final Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

- 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.
- Clearly defined objectives, targets and indicators.
- Details of proposed measures.
 - Appointment of a travel plan co-ordinator and their allocated budget
- Detailed timetable for implementing measures.
- Proposals for maintaining momentum and publicising success.
- A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Evidence of the implementation of the hereby approved Framework Travel Plan over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

Reason

In order to accord with the NPPF and policy CS13 of the CSUCP.

36

The Travel Plan approved under condition 35 shall be wholly implemented in accordance with the approved details for the life of the development

Reason

To ensure sustainable travel and in accordance with CSUCP CS13 and the NPPF.

37

Unless otherwise approved in writing by the Local Planning Authority, refuse collection and deliveries to the site, shall be carried out only between 0700 hours and 1900 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with Saved Policy DC2 of the Unitary Development Plan and CSUCP policy CS14.

38

Parking surveys shall be undertaken once the building hereby permitted has been in use for 6 calendar months and 9 calendar months in accordance with an approved methodology to be submitted to the Local Planning Authority for written consideration and approval.

The findings of the surveys shall be submitted within one calendar month of completion of the survey for consideration by the Local Planning Authority.

Should the findings of the survey be that additional off site highway works are required then details shall be submitted for consideration, approval and implementation.

Reason

In the interests of the provision of appropriate modes of travel and highway safety and in compliance with the Gateshead Cycling Strategy and policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

39

Prior to occupation of the building hereby permitted details of the location for the storage of minibuses when not in use shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of highway safety and the amenities of nearby residents in accordance with CSUCP policies CS13 and CS14 and Saved UDP policy DC2.

40

Prior to the development hereby permitted progressing above damp proof course details of ventilation equipment to be located on the roof of the hydrotherapy pool, dining hall and sports hall shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

To safeguard the amenities of nearby residents and to ensure that any external equipment does not have an adverse effect upon the appearance of the area and in accordance with Saved UDP Policies DC2 and ENV3 and CSUCP policy CS14

41

The details approved under condition 40 shall be implemented wholly in accordance with the approved details and retained for the life of the development thereafter.

Reason

To safeguard the amenities of nearby residents and to ensure that any external equipment does not have an adverse effect upon the appearance of the area and in accordance with Saved UDP Policies DC2 and ENV3 and CSUCP policy CS14

42

Before the kitchen hereby approved is brought into use a detailed scheme covering the ventilation, extraction and control of cooking odours from the kitchen shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the development is designed and adequately ventilated to control odour nuisance, in accordance with Saved UDP Policies DC2 and ENV3 and CSUCP policy CS14.

43

The ventilation / extraction details approved under condition 42 shall be implemented wholly in accordance with the approved details prior to the first use of the kitchen and retained thereafter.

Reason

To safeguard the amenities of nearby residents and to ensure that any external equipment does not have an adverse effect upon the appearance of the area and in accordance with Saved UDP Policies DC2 and ENV3 and CSUCP policy CS14.

44

Notwithstanding the submitted Aecom isopachyte layout drawing DR-C-6002 P3, no development shall commence until revised details have been submitted for the consideration and written approval of the Local

Planning Authority to omit the proposed cut in the south east corner of the site bounding Durham Road to avoid the unnecessary loss of semi mature trees

Reason for condition

To ensure the satisfactory retention and protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on the trees to be retained by ensuring the trees are retained and protected before the development commences.

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.

45

The details approved under condition 44 shall be implemented wholly in accordance with the approved details prior to the development hereby permitted progressing above damp proof course and retained for the life of the development.

Reason for condition

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

Reason for prior to commencement condition

To minimise the risk of harm and long-term adverse impacts of the development on the trees to be retained by ensuring the trees are retained and protected before the development commences.

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.

46

Notwithstanding the drawings as submitted TS-0411-140 Rev 0, DR-C-6002 P3, TS-0411-160, TS-0411-100 Rev A and TS-0411-106 Rev 0 prior to occupation of the building hereby permitted final details of the perimeter boundary treatment to realign away from the back of the footpath and omit the crank to the Shipcote Lane boundary, and showing the boundary treatment and gates to the MUGA shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of visual amenity and in accordance with Saved UPD policy ENV3 and CSUCP policy CS15.

47

The details approved under condition 46 shall be implemented wholly in accordance with the approved details prior to first occupation of the development hereby permitted and retained for the life of the development.

Reason

In the interests of visual amenity and in accordance with Saved UPD policy ENV3 and CSUCP policy CS15.

48

Notwithstanding the drawings as submitted TS-0411-140 Rev 0, DR-C-6002 P3, TS-0411-160, TS-0411-100 Rev A and TS-0411-106 Rev 0 prior to occupation of the building hereby permitted final details of the bin store shall be submitted for the consideration and written approval of the Local Planning Authority.

Reason

In the interests of visual amenity and in accordance with Saved UPD policy ENV3 and CSUCP policy CS15.

49

The bin store details approved under condition 48 shall be implemented wholly in accordance with the approved details prior to first occupation of the development hereby permitted and retained for the life of the development.

Reason

In the interests of visual amenity and in accordance with Saved UPD policy ENV3 and CSUCP policy CS15.

