

Committee Report

Application No:	DC/19/01266/FUL
Case Officer	Josh Woollard
Date Application Valid	2 January 2020
Applicant	Mr Gary Lewis
Site:	Site Of Former Social Club Gretna Terrace Felling
Ward:	Felling
Proposal:	Erection of Transitional Care Centre with associated parking, servicing and landscaping (description amended 03/03/20, amended 05/02/20, 27/02/20 and 02/03/20).
Recommendation:	Minded to GRANT at end of consultation period
Application Type	Full Application

1.0 The Application:**1.1 BACKGROUND**

The application site benefits from extant permission for the 'erection of 83 Bedroom Residential Care Centre with associated boundary treatments, on-site parking, servicing, landscaping and change of use of open space to form off-site parking provision (amended 13/02/19 and 06/06/19 and additional information received 26/03/19)'.

1.2 The proposed scheme differs from the previously approved scheme in terms of revised internal layouts to reflect the change in the number of bedrooms and type of care provided along with minor external alterations.

1.3 The scale and layout of the building within the site is unchanged from the previous scheme.

1.4 DESCRIPTION OF THE SITE

The site is enclosed on all sides by highway. To the north, Split Crow Road runs east to west with residential properties beyond. To the west of the site, Nursery Lane runs north to south with residential properties located beyond. Falla Park Road, at the rear (south) of the site runs east to west with Falla Park Primary School Nursery sitting adjacent to the site and Falla Park Community Primary School on the southern side of Falla Park Road. Finally, adjacent to the north-east corner of the site is Gretna Terrace, comprising 2 pairs of two-storey flats which front onto Split Crow Road. Number 1 Gretna Terrace has been converted into a retail unit but currently sits vacant. The application site wraps around the rear of these properties. A short lane runs up the eastern boundary of the site which the former service yard opened onto. Millfield Gardens, a residential street, lies beyond to the east.

1.5 The site, formerly occupied by Felling Social Club, currently lies vacant. The buildings on site have been demolished, but the hardstanding areas and

perimeter walls remain. Existing boundary treatments in place consist of a red-brick wall with metal security fencing above which runs along the western boundary of the site wrapping round part of the northern boundary. The remaining part of the northern boundary is a high brick wall. A high stone wall runs along the side and rear boundary of numbers 3 and 4 Gretna Terrace whilst security fencing runs along the boundary with the short lane. Finally, boundary treatment along the southern boundary comprises a high stone wall and dark-green metal palisade fencing.

- 1.6 Land levels on site fall from the south to the north, a gradual drop of some 6.5 metres.
- 1.7 Existing access arrangements consist of a one-way circulation route in the existing car park with vehicular access from Falla Park Road in the south-west corner of the site and egress onto Nursery Lane in the north-west corner. Vehicular access into the service area is provided off Split Crow Road in the north-east corner of the site, running along the gable elevation of 3-4 Gretna Terrace.
- 1.8 **DESCRIPTION OF THE APPLICATION**

The application in question seeks planning permission for the erection of a 60-bed Transitional Care Centre with associated parking, servicing and landscaping. The Centre would provide assessment, rehabilitation and transitional care for those needing assistance to return to independent living following treatment in hospital.
- 1.9 The building would be arranged in three wings, at right angles to one another, forming a 'Z' shape. The northern wing, fronting Split Crow Road would have a full four storeys whilst the other two wings would have three full storeys. The height of the eaves of the four-storey wing would be approximately 10.6m whilst the main ridge would be 14.8m in height. The height of the eaves of the three-storey wing would be 7.7m whilst the height of the ridge would be 11.9m.
- 1.10 Level One would consist of plant, kitchen, laundry, staff, office and storage facilities. An entrance from Split Crow Road would also be located at ground floor level within the north elevation. Level Two would house the main entrance, accessed via the main car park, and reception foyer located at the junction of the three wings. Each of the upper three floors would have 20 bedrooms, assessment kitchen, therapy rooms, multi-purpose lounge and dining rooms, activity spaces, medication rooms and treatments facilities.
- 1.11 The proposed scheme would retain the existing vehicular access from Falla Park Road with egress onto Nursery Lane. Car parking for 20 cars will be provided in the main car park, including 2 accessible spaces, a motorcycle parking area and a single ambulance and drop off point. There would also be provision for cycle parking. At the entrance to the car park, an existing grassed area would be paved to provide 4 of the 20 parking spaces and these would provide dedicated parking for the nursery. This would involve a change of use.

1.12 The service area is located to the north-east corner of the site, accessed off Split Crow Road. 8 car parking spaces would be provided for staff with one accessible parking space and a motorcycle parking area also for staff use. The service area would be secured via an automatic sliding gate. In addition, there would be a secure/enclosed area for waste bins, recycling bins and clinical waste.

1.13 In terms of amenity space for the residents, the southern portion of the site would be a secure garden for residents with a garden building and hen run.

1.14 RELEVANT PLANNING HISTORY

- DC/18/01165/FUL - Erection of 83 Bedroom Residential Care Centre with associated boundary treatments, on-site parking, servicing, landscaping and change of use of open space to form off-site parking provision (amended 13/02/19 and 06/06/19 and additional information received 26/03/19) – Granted 19.07.2019

2.0 Consultation Responses:

Northumbrian Water NWL has no objection subject to a condition to secure details of the disposal of surface and foul water

The Coal Authority No objection

3.0 Representations:

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

3.2 A site notice was placed on site on 05.02.2020.

3.3 One representation has been received which objects to the proposed development. The objection is summarized as follows:

- Additional traffic generated from the development
- Is sufficient parking provision provided?
- Are budgets available to support this facility?

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS9 Existing Communities

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

DC1C Landform, landscape and after-use

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

MWR28 Provision of Facilities in new Developments

5.0 Assessment of the Proposal:

5.1 The key planning issues to be considered in the determination of this planning application are considered to be:

5.2 PRINCIPLE OF THE DEVELOPMENT

Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in this Framework that protect areas of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

5.3 Policy CS11 of the CSUCP aims to promote lifetime neighbourhoods with a good range and choice of accommodation, services and facilities to meet varied and changing needs, will be achieved by:

3. Increasing the choice of suitable accommodation for the elderly population and those with special needs including bungalows, sheltered accommodation and extra care accommodation

- 5.4 This development is considered to contribute to the range and choice of housing within the Borough by providing an extra-care facility.
- 5.5 Furthermore, paragraph 91 of the NPPF, states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social integration... through mixed-use developments. Paragraph 92, then goes on to state that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. Whilst, paragraph 59 states, that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
- 5.6 It is therefore considered that the development of the site as a residential institution would, in principle, accord with the above policies; albeit that detailed consideration needs to be given to potential impacts upon the local area. These are given consideration below.
- 5.7 VISUAL AMENITY
The surrounding area is predominantly residential in character with the exception of the educational facilities to the south and the retail unit at Gretna Terrace. Given this, the development is considered to be in-keeping and complementary to other uses within the area.
- 5.8 Furthermore, the design of the development in a 'Z' shape ensures that sufficient amenity space would be provided along with car parking to ensure the site does not appear overdeveloped. The applicant has indicated that the external finish of the building would be comprise a mixture of red-brown brick and ivory render with artstone features and masonry blockwork. These details are acceptable in principle however it is considered necessary to secure final details and samples prior to construction above damp-proof course (condition 3).
- 5.9 Some boundary treatment information has been submitted showing a combination of brick walls and metal railings, which is broadly acceptable, in principle, in terms of preserving visual amenity. It is considered appropriate to condition that the final boundary treatment details are submitted for approval and this can be secured via condition (condition 5).
- 5.10 Some detail regarding the landscaping of hard-surfaced areas has been submitted. It is considered that more information is required, and final details of a landscaping scheme can be secured via condition (condition 7).
- 5.11 Subject to the above conditions, it is considered that the development would accord with the NPPF, policy CS15 of the CSUCP, and Saved policies DC1(c) and ENV3 of the UDP.

5.12 RESIDENTIAL AMENITY

The orientation, layout and positioning of windows ensures that there would be no unacceptable loss of privacy, overshadowing, or overbearing impact on nearby residential properties as separation distances would meet or exceed the minimum recommended distances of 13m and 21m respectively.

5.13 In addition to the above comments, it is considered reasonable to condition (condition 14) that construction works shall only take place during typical daytime hours of 8am-5pm Monday to Saturday to safeguard residential amenity. It is also considered necessary to condition (condition 10) the submission of a construction control plan to further safeguard the residential amenity of nearby residents by minimising the impacts of the construction phase.

5.14 In designing residential accommodation, policy CS11 of the CSUCP aims to, among other things, provide adequate space inside and outside of the home to meet the needs of residents.

5.15 It is considered that each bedroom is of an acceptable size whilst internal, communal amenity space is provided on each floor containing residential accommodation. External amenity space is provided to the south of the facility in the form of resident's secure gardens. Within this area, a garden building and hen run is proposed. In addition, there is a large area of open space located 190m to the north of the application site. With this in mind, it is considered that adequate internal and external amenity space is available to meet the needs of residents.

5.16 Subject to conditions, it is considered that the development would accord with the NPPF, policy CS14 of the CSUCP, and Saved policies DC2 and ENV61 of the UDP.

5.17 HIGHWAYS

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

5.18 Access

The general car park layout and access arrangements are acceptable in principle considering the access and egress points into the car park are as existing and access to the service yard is as existing. Furthermore, these remain unchanged from the previous planning approval.

5.19 Parking Provision

The proposed Transitional Care Facility would have 60 beds and 28 car parking spaces. This level of parking provision is considered to be acceptable. If the proposed car park is filled, a small level of overspill parking could be safely accommodated within the local area, which has a good level of unrestricted on-street parking available. The addition of 4 dedicated parking spaces for the

staff of the nursery is welcomed, as otherwise their staff would have to park on the street, as they currently have the consent of the applicant to park within the application site.

- 5.20 Notwithstanding the above, the application site is also located within the centre of Felling which has excellent public transport connections, most notably Gateshead Interchange, which is a short bus journey to the east. There is a Metro station within 440m of the application site along with a bus stop immediately to the north on Split Crow Road.
- 5.21 The provision of a secure facility within the building for staff cycle parking and the location and provision of visitor cycle parking is considered to be acceptable. Final details can be agreed by condition (conditions 15 and 16).
- 5.22 Electric vehicle charging should be provided on site, the details of which can be addressed by condition (conditions 17 and 18).
- 5.23 Motorcycle parking should be provided on site, the details of which can be addressed by condition (conditions 19 and 20).
- 5.24 A travel plan is required and can be addressed by condition (conditions 21 and 22).
- 5.25 Overall, the proposal is not considered to raise any highway safety concerns and thus accords with the NPPF and policy CS13 of the CSUCP.
- 5.26 **REFUSE**
The proposed development has been assessed from a waste servicing perspective and there are no concerns with it. The bins are kept in an enclosed bin store, within an enclosed service yard at the bottom of a small access road. Furthermore, the clinical waste bins are kept in a secure section of the bin store and so everything has been well designed. The bin store looks to be of sufficient size, especially considering that, as a business, waste collections can be as frequent as the management choose.
- 5.27 Therefore, it is considered that the proposal accords with the NPPF and saved policy MWR28 of the UDP.
- 5.28 **FLOOD RISK AND DRAINAGE**
The application has been submitted with a flood risk assessment that has assessed all sources of flooding in accordance with policy CS17 of the CSUCP. It has identified any potential risks and the layout of the development is proposing a SuDS system that has followed the SuDS hierarchy.
- 5.29 The principle of the drainage strategy is considered to be acceptable, but a number of further details are deemed necessary to ensure that the development accords with the NPPF and policy CS17 of the CSUCP. These further details can be dealt with via conditions (conditions 25 - 28).

- 5.30 Furthermore, Northumbrian Water have offered no objection, subject to conditioning that more information is submitted in relation to the disposal of foul and surface water. The aforementioned conditions would address this.
- 5.31 Therefore, subject to the above conditions, the proposal accords with the NPPF and policy CS17 of the CSUCP.
- 5.32 **TREES/ECOLOGY**
There are a total of 8 trees that are immediately outwith the development site.
- 5.33 Trees T1 and T2 are close to the south east corner of the site and could be affected by a new boundary treatment in that area.
- 5.34 Trees T3-T8 are mature cherry trees located just to the west of the western boundary of the site within highway verge. They are not intended to be affected by the proposal and the existing boundary wall will afford protection of the roots of trees T3-T7. T8 is close to where the parking provision for the nursery is intended to be constructed and hence could be affected. The submitted Tree Protection Plan shows barrier fencing for T8 to protect it during construction, which is considered to be appropriate (condition 23).
- 5.35 In addition to the above, it is considered that a construction method statement is required in respect of the parking spaces to serve the nursery and the boundary treatment for the south east corner of the site. This can be addressed by conditions (condition 12 and 13).
- 5.36 Vegetation clearance should not take place during the bird breeding season wherever possible and thus a condition to that effect is recommended (condition 24).
- 5.37 Subject to the above conditions, the proposal accords with the NPPF, policy CS18 of the CSUCP and saved policy ENV44 of the UDP.
- 5.38 **CONTAMINATED LAND**
The site is situated on potentially contaminated land based on previous historic development use. In view of the sensitive end use proposed, the planning application is supported by a Preliminary Risk Assessment (PRA) and Phase 2 Site Investigation Report that addresses the whole site.
- 5.39 Samples taken at the site have been subject to chemical analysis and they have highlighted the need for a remediation strategy. This can be addressed by conditions (conditions 29-30).
- 5.40 It is also considered necessary to apply a condition, should planning permission be granted, to address the necessary course of action if unexpected contamination not previously identified is discovered during construction (condition 31-32).

5.41 Subject to the conditions referenced above the proposal would accord with the NPPF, policy CS14 of the CSUCP and saved policies ENV54 and DC1(p) of the UDP.

5.42 COAL MINING LEGACY

The application site is within a Coal Authority Development High Risk Area and therefore a comprehensive Coal Mining Risk Assessment (CMRA) has been submitted with the application. The CMRA correctly identifies that the application site has been subject to past coal mining related activities. Specifically, the report identifies the presence of 1 no. mine entry within the application site boundary. In addition, the report also discounts the likelihood of probable unrecorded shallow mine workings beneath the application site after analysis of geological and mining data; the report states the risk is "deemed negligible and as a result no further assessment or intrusive investigation works are required with regards to historical shallow coal mining activities" However, the CMRA recommended further site investigations in order to establish the location and condition of the 1 no. mine entry.

5.43 A Mine Shaft Investigation Report (Arc Environmental, 14 June 2018) was submitted presenting the findings of these site investigations. A total of 36 no. rotary probe boreholes were sunk on a grid pattern, as well as trenching works; the mine entry was not located. The report concludes "the site is no longer considered to be at risk from future surface instability issues associated with the mine entry recorded on this site". The Coal Authority have confirmed that it considers the intrusive site investigations undertaken to be sufficient in attempting to locate the mine entry, for which a permit was obtained, and on the basis of the information and data reviewed does not require any further remedial works to be undertaken through the planning process.

5.44 The proposal therefore accords with the NPPF and policy CS14 of the CSUCP.

5.45 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a CIL Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development. As such no CIL charge is liable.

5.46 OTHER MATTERS

One objection received raises concerns about the budget available for running such a facility. This is not a material planning consideration and no weight has been afforded to this matter.

6.0 CONCLUSION

6.1 Taking all the relevant issues into account, it is recommended that planning permission be granted, as the proposal has been able to demonstrate that it would be acceptable, subject to conditions. It is considered that the proposal does accord with national and local planning policies and the recommendation is made taking into account all material planning considerations including the information submitted by the applicant and third parties.

6.0 Recommendation:

It is recommended that permission be GRANTED at the end of the consultation period subject to no further material planning considerations being raised as part of any representations received and which have not been previously raised and addressed within the report above, and that the Strategic Director of Communities and Environment 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 -

L.01 Location Plan

B336-001 Topographic Survey

E.02 Sections

L [9] 01 D Site Plan

L [0] 01 D Level 1 Plan

L [0] 02 E Level 2 Plan

L [0] 03 E Level 3 Plan

L [0] 04 E Level 4 Plan

L [0] 05 A Roof Plan

L [0] 21 & 22 C Elevations as Proposed North & South

L [0] 23 & 24 C Elevations as Proposed East & West

AIA EXI

AMS TPP 10.09.18

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 development shall commence above damp-proof course level until 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 and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The development hereby permitted shall be constructed in full accordance with the details approved under condition 3.

Reason

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

5

Prior to occupation of the development hereby approved, a fully detailed scheme for the boundary treatment of and within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, position, design, dimensions and materials of the boundary treatment.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and 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.

6

Prior to occupation of the development hereby approved, the boundary treatment details approved under condition 5 shall be implemented wholly in accordance with the approved details and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of amenity of the area and 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.

7

Prior to occupation of the development hereby approved, a fully detailed scheme for the landscaping of the site, along with timetables for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, proposed trees and hedges, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

To ensure the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and 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.

8

The landscaping scheme approved under condition 7 shall be implemented in full accordance with the approved details and completed prior to occupation of the development hereby approved, unless otherwise approved in writing by the Local Planning Authority. The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date.

Reason

To ensure that the approved landscaping scheme is completed within a reasonable time scale in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

9

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 the satisfactory appearance of the development upon completion in the interests of the visual amenity of the area and 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.

10

No development shall commence (except for tree protection measures and vegetation clearance works) until a construction control plan including the hours of operation, location and layout of the compound area, a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

Reason for prior to commencement condition

The construction control plan 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.

11

The construction control plan approved under condition 10 shall be implemented and complied with in full during all stages of construction, until completion.

Reason

In order to protect the amenities of local residents and the wider environment during construction in accordance with the NPPF, Policies DC2 of the Unitary Development Plan and Policy CS14 of the CSUCP.

12

No development or other operations shall commence in respect of the car parking to serve the nursery or the boundary wall in the south-west and south-east corners of the site until a detailed construction specification and arboricultural method statement for any works to trees or areas within the approved tree protection areas has been submitted to and approved in writing by the Local Planning Authority. This must provide for the protection and retention of the existing trees on the site during the construction of the development.

Reason

To ensure the satisfactory protection of trees in accordance with policies DC1 and ENV44 of the Unitary Development Plan.

13

The details approved under condition 12 shall be implemented and adhered to at all time during construction of the car parking to serve the nursery and any works to the boundary wall in the south-west and south-east corners of the site.

Reason

To ensure the satisfactory protection of trees in accordance with policies DC1 and ENV44 of the Unitary Development Plan.

14

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

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF, saved policies DC1(h), DC2 and ENV61 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

15

Notwithstanding the details on the submitted plans, final details of secure and weatherproof cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and the Gateshead Council Cycling Strategy.

16

The details approved under condition 15 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and the Gateshead Council Cycling Strategy.

17

Prior to the first occupation of the development hereby approved, a scheme for the provision of electric vehicle charging shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

18

The details approved under condition 17 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

19

Notwithstanding the details on the submitted plans, final details of motorcycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

20

The details approved under condition 19 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

21

No part of the residential accommodation shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Reduction in car usage and increased use of public transport, walking and cycling;
- 2) Minimal operational requirements for car parking in accordance with the National Planning Policy Framework and Council Policy CS13;
- 3) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

22

The Travel Plan shall be implemented in accordance with the details and timescales approved under condition 21 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.

Reason

In order to accord with policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne and policy T1 of the Unitary Development Plan.

23

Before any materials are brought onto site or any development granted in full is commenced, the tree protection measures shown on plan reference AMS TPP 10.09.18 shall be implemented on site. The fencing must remain in place for the duration of the development and shall not be moved or removed until all equipment; machinery and surplus materials have been removed from the site, unless otherwise and firstly approved in writing by the Local Planning Authority. No materials, plant or equipment or temporary buildings or structures shall be stored or located within the fenced areas.

Reason

To ensure that the trees to be retained on the site are adequately protected from damage during the development works in accordance with the NPPF, saved policies DC1 and ENV44 of the Unitary Development Plan and CSUCP Policies CS17 and CS18.

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.

24

No vegetation clearance works shall be undertaken during the bird breeding season (i.e. March to August inclusive). Where this is not possible a breeding bird checking survey will be undertaken by a suitably qualified ecologist immediately prior (i.e. no more than 48hrs) to the commencement of works on site. Where active nests are confirmed these must be retained undisturbed until the young have fledged and the nest(s) is no longer in use.

Reason

To safeguard biodiversity in accordance with the National Planning Policy Framework, policy CS18 of the Core Strategy and Urban Core Plan and saved policy DC1(d) of the Unitary Development Plan.

25

Development shall not commence in respect of the SuDS and drainage system until the following construction details have been submitted to and approved in writing by the Local Planning Authority:

1. Details of geocellular system and flow control
2. Electronic drainage model submitted in Microdrainage format

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

26

The details approved under condition 25 shall be implemented prior to the first occupation of the development and maintained as such for the life of the development.

Reason

To ensure appropriate drainage and the exploration as to sustainable drainage systems 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.

27

Prior to the first occupation of the development hereby approved a SuDS and drainage maintenance plan to cover the following:

- i. Clearly describe the drainage system and define the SuDS features, describing how each element is expected to work;
- ii. Confirm party responsible for the system maintenance in the short and long term;
- iii. Provide specification of maintenance tasks; and schedule of tasks and inspections for the lifetime of the development

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

Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the National Planning Policy Framework and Policy CS17 of the Core Strategy and Urban Core Plan.

28

The details approved under condition 27 shall be implemented prior the first occupation of the development and maintained as such for the life of the development.

Reason

To ensure appropriate drainage and the exploration as to sustainable drainage systems 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.

29

No development shall commence (except for tree protection measures and vegetation clearance works) until a detailed remediation scheme to bring the site to a condition suitable for the intended use, by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable and phasing of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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.

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.

30

The details of remediation measures approved under condition 29 shall be implemented prior to commencement of the development hereby permitted and retained 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

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.

31

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

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

Reason

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

32

The amended remediation and monitoring measures approved under condition 31 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

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

Reason

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

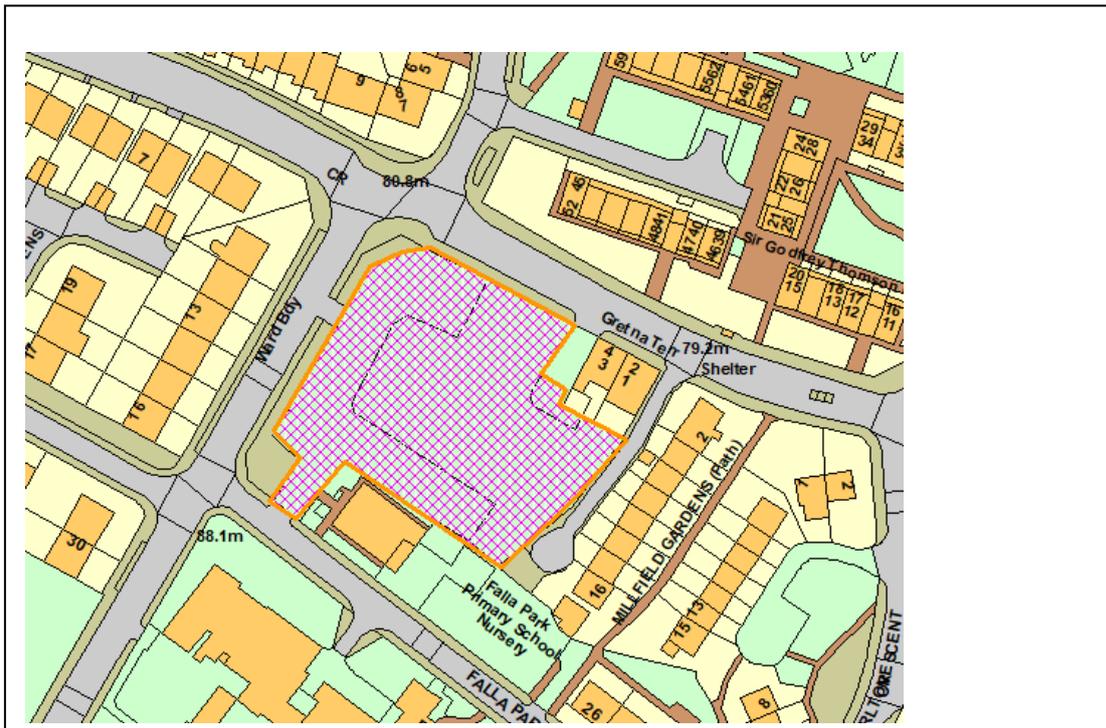
saved policies DC1 and ENV54 of the Unitary Development Plan, policy CS14 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

33

Where remediation is required, following completion of the approved remediation and monitoring measures, the development hereby approved shall not be occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason

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



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