

**Committee Report**

<b>Application No:</b>	<b>DC/20/00323/FUL</b>
<b>Case Officer</b>	<b>Andrew C Softley</b>
<b>Date Application Valid</b>	<b>27 April 2020</b>
<b>Applicant</b>	<b>Ask Patrizia (GQ) LLP</b>
<b>Site:</b>	<b>Site Bounded By Mill Road, Hawks Road And South Shore Road Gateshead</b>
<b>Ward:</b>	<b>Bridges</b>
<b>Proposal:</b>	<b>Erection of indoor events arena (use class D2), conference and exhibition centre including meeting rooms and associated facilities (use classes D1 and D2), dual branded hotel with roof top bar (use class C1), provision of retail and leisure floorspace (use classes A1, A3 and A4) and outside performance square with landscaping, public realm and infrastructure works as well as associated engineering operations, security measures and signalised crossing (additional information and amended plans received 15/09/20 and amended 12/10/20).</b>
<b>Recommendation:</b>	<b>That permission be GRANTED, subject to referral to the Planning Casework Unit</b>
<b>Application Type</b>	<b>Full Application</b>

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

The application site covers an area of approximately 5.3 hectares and is located immediately to the south of the River Tyne and HMS Calliope (a Royal Navy training base), with the north-eastern part of the site providing the landing point of the Millennium Bridge. South Shore Road runs through the northern part of the site, separating the southern and larger part of the site from the river bank and the Millennium Bridge. The site is bound to the west by the Grade II listed 'Coal Drops', the Sage Gateshead concert venue and associated car park, to the southwest by the railway line, to the south by Hawks Road and Gateshead College directly beyond this, and to the east is the Baltic-Quays residential apartments.

- 1.2 From north to south, the site largely comprises the southern bank landing point of the Gateshead Millennium Bridge, which is made up of a large paved area on the Quays (Baltic Square) with steps up to South Shore Road. Beyond the road, at grade, is surface car parking, and then a higher level of surface parking, that together make up the South Shore Road Car Park. South of this, and at a higher plateau level is the larger Mill Road Car Park, that is surrounded to the west and south by green open space. Beyond that, the southernmost part of the site comprises vacant former industrial land,

which is fenced off from entry. There is a 23m increase in site grades from the north to the south of the site, which results in a series of plateaus. Construction of the current site plateaus and car parks took place in the 1990s following site clearance and extensive earthworks. The former industrial land that makes up the southern part of the application site was cleared of buildings in 2013/2014.

- 1.3 The application site is considered a 'Key Site' under policy QB2 (Gateshead Quays Key Site) of the Core Strategy and Urban Core Plan (CSUCP) and has been allocated for mixed-use development comprising: Office (B1); Leisure and Conferencing Facilities (D1, D2); Hotel (C1); and Residential (C3) with ancillary Retail (A1, A2, A3, A4) uses where development is to provide a "cultural and commercial focus".
- 1.4 The application site also lies within the Gateshead Newcastle Urban Core and is therefore subject to policy CS1 (Spatial Strategy for Sustainable Growth) of the CSUCP which prioritises the Urban Core as the location for major leisure, culture and tourism development.
- 1.5 The application site is additionally subject to policy CS2 (Spatial Strategy for the Urban Core), which requires development to maintain and enhance its vibrancy by supporting developments which enhance and diversify culture, leisure and tourism facilities.
- 1.6 The application site is subject to The Gateshead Quays Development Framework (GQDF), which requires development of Plot QB2-A to complete the river frontage, address Hawks Road and Mill Road and have a positive relationship with the Coal Drops. The Framework also confirms that the size and location of the two parcels of land within Plot QB2-A provides an opportunity to deliver larger footprint uses, such as leisure and cultural landmarks, to be supplemented and supported by retail and commercial uses.
- 1.7 **DESCRIPTION OF THE APPLICATION**

This application proposes the erection of an indoor events arena (use class D2), a conference and exhibition (CoEx) centre including meeting rooms and associated facilities (use classes D1 and D2), dual branded hotel with an enclosed roof top bar/restaurant (use class C1), provision of retail and leisure floorspace (use classes A1, A3 and A4) and outside performance square with landscaping, public realm and infrastructure works as well as associated engineering operations, security measures and signalised crossing (additional information and amended plans received 15/09/20 and amended 12/10/20).
- 1.8 As of 1<sup>st</sup> September 2020, changes to the Use Classes Order radically changed the Use Classes Order. Primarily, this is through the creation of a new broad category of 'commercial, business and service' uses. Parts A and D of the original Schedule to the Use Classes Order have been entirely deleted, with Use Classes A1, A2, A3, parts of D1 and D2 subsumed into new Use Class E along with Class B1. Class A4 (drinking establishments) become sui generis uses and D2 (assembly and leisure) is split three ways - depending on the specific nature of the use - to either Class E (commercial,

business and service use), sui generis (e.g. cinemas and concert halls) or another new use class F.2 (local community uses e.g. swimming pools, and community halls).

- 1.9 Notwithstanding the above, transitional arrangements brought in as part of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 mean, that planning applications submitted prior to 1<sup>st</sup> September 2020, which refer to Uses Classes as they applied on 31<sup>st</sup> August 2020, must be determined by reference to those Use Classes, i.e. there is no change to the range of uses listed in the application's description.
- 1.10 The proposal comprises the development of a leisure-led, mixed-use development made up of the following principal parts.
- 1.11 Indoor Events Arena  
The indoor events arena is designed to deliver large scale entertainment events. The arena itself is a multi-purpose facility capable of seating up to 11,500 people in end stage mode, and a total capacity of 12,500 with a mixture of seating and standing. The multi-purpose arena would have the ability to deliver a wide range of entertainment and sports-based content, including music, comedy, family shows and international sporting events. The indoor events arena would replace the existing Newcastle arena.
- 1.12 The indoor events arena, which comprises approximately 29,352 sqm (GIA) of floorspace, has been designed upon a bowl shape offering fixed, retractable and removable seating. The development contains an arrival atrium, main event space, changing areas, medical rooms, office space, food and retail concessions, restaurants, executive suites, box office and other functional requirements of typical arena use.
- 1.13 The building will have a maximum roof height of 53 metres AOD (Above Ordnance Datum). The building, which steps down the site, is a mix of brick facades with stretch metal panels along the top of the building.
- 1.14 Access is at the stage end of the building accessible from Hawks Road. Large sliding stage doors would grant access to the event floor and stage. The arena service yard would be connected to the CoEx via a ramp capable of use by small vehicles and fork lifts. This would facilitate centralised deliveries where needed. The arena service yard is covered with louvers for ventilation.
- 1.15 Conference and Exhibition Centre (CoEx)  
The purpose of the conference and exhibition centre is to deliver a venue capable of hosting a broad range of activities and events whilst providing a high level of comfort and customer experience. The development comprises three exhibition halls with moveable acoustic partitions, six large-sized meeting rooms, seven small-to-medium-sized meeting rooms and a boardroom suite across 20,320 sqm (GIA).

- 1.16 The CoEx has been designed to flexibly accommodate various uses including exhibitions, local, national and international conferences, large meetings, banquets and sporting events. The three exhibition halls can be combined to provide a standing concert with a capacity of up to 7,500. The six large sized meeting rooms cover approximately 260m<sup>2</sup> each with ceiling heights of 6m. The small-to-medium-sized meeting rooms range from approximately 100sqm to 180sqm, with ceiling heights of 2.4m. The boardroom suite covers approximately 150m<sup>2</sup> with an accompanying general reception area.
- 1.17 The CoEx building would have a maximum roof height of 39 metres AOD. Materials include precast concrete, corten panels and glass. The Galleria - on the western side of the CoEx and fronting onto the public realm, would comprise a mix of brick, metal panels, glass and slate.
- 1.18 Vehicular access for loading and servicing is provided at the rear of the exhibition halls into a service yard accessed off Mill Road. A series of HGV access doors would enable access into the halls.
- 1.19 An outside broadcast compound would be located in the CoEx service yard.
- 1.20 Dual Branded Hotel  
The hotel development is a mixture of mid brand and premium brand rooms above flexible front of house areas and retail space. The hotel includes dining space with connection into the conference and exhibition centre's pre-function space, meeting room suite with connection into the conference and exhibition centre's meeting rooms, gymnasium with associated treatment rooms, enclosed sky-bar restaurant, staff and administration areas, and service and back of house areas.
- 1.21 The premium hotel fronts the River Tyne and would be 13 storeys high. The mid hotel is accommodated within the lower building to the rear and would be 7 storeys high. The unified hotel development itself would deliver up to 330 bedrooms across 16,396 sqm (GIA).
- 1.22 The top of the hotel would include an enclosed 'sky-bar' restaurant, which is designed to be a lightweight glazed addition to the top of the building to soften the development's impact on the skyline.
- 1.23 The maximum height of the hotel development is 63.5m AOD. The building is a mix of terracotta panels in various shades and glazing.
- 1.24 973sqm (GIA) of retail / leisure floorspace is proposed to supplement and support the wider development, with active frontages onto South Shore Road.
- 1.25 Public Realm  
The development proposes to develop a linear park, linking the Millennium Bridge to Hawks Road, utilising the significant level changes across the site to utilise landform as a key element in the public realm, including the roofscape of the conference and exhibition centre.

- 1.26 The public realm improvements would include the addition of street furniture, wayfinding and trees, to help enliven and add activity to the street scene whilst also enabling the free flow of pedestrian movement and establishing a protection line to the conference and exhibition centre for security purposes.
- 1.27 From South Shore Road, two external stepped accesses would be provided, one to access lower Performance Square to west of the site and one to access Mill Road and the entrance to the side of the hotel along the eastern boundary of the site. These stepped routes would enable access to the wider public realm and beyond. Access to the internal circulation routes, hotels and the road level retail spaces would be provided directly from South Shore Road.
- 1.28 The enlarged and revised Performance Square is intended to provide the linking piece of public realm between the conference and exhibition centre, the indoor arena and Sage Gateshead. It would do this by addressing the access and movement requirements of the adjacent institutions whilst also functioning as an attractive, high-quality and welcoming piece of public realm in its own right.
- 1.29 The revised Performance Square has also been designed to provide better links through to the Coal Drops with the proposed tree coverage enhancing the quality of the area, providing cover and shade, increasing biodiversity, providing SuDS opportunities and reducing scale between the two adjacent built forms. Tree planting is proposed to provide an effective wind mitigation element.
- 1.30 'Podium Walk' is proposed to be an elevated area of the public realm located over the indoor arena service yard and administrative building. The podium enables pedestrian permeability and would contain seating opportunities together with signage and wayfinding elements.
- 1.31 Amendments
- An increase in the site area of the development from approximately 4.6 hectares to approximately 5.3 hectares for the following reasons: -
  - Areas have been added to allow for the provision of various security measures including:-
    - Bollards on South Shore Road and amended access road for Sage Gateshead;
    - Security gates on Hawks Road;
    - A bund added to the north of Hawks Road;
    - Bollards added along the northern footway along Hawks Road;
  - Areas have been added to the south of the site (Hawks Road) and adjacent to the River Tyne to accommodate public realm, security and landscaping proposals;
  - A signalised pedestrian crossing and speed table have been added on Hawks Road;
  - Alignment of the boundary has been amended to directly abut the listed Coal Drops;

- Various minor changes have been made around the perimeter of the site to reflect topographical information.

1.32 The following revisions have been made to the proposed development:

1.33 Hotel

- Minor changes to the appearance of the glazing and glazing spandrels (as viewed from the exterior);
- Internal changes to the core configurations leading to a minor relocation of the cores at roof level;
- Reduction in floor to floor heights between Levels 2 and 3 and an increase in floor to floor heights between Levels 3 and 4 to allow for the provision of plant services at Level 3. The changes in floor to floor heights do not affect the overall height of the hotel building;
- New vents and an escape door on the southern elevation with minor changes in elevations detail;
- Removal of recessed entrance feature on eastern elevation;
- Amendments to the façade along the river frontage to improve the connection between the hotel and the CoEx in design terms. This leads to no resultant changes in overall floorspace for any use.

1.34 Co-Ex and Galleria

- Amendments to the South Shore Road elevation including refinements to the roof edge, architectural expression and configuration of the balcony and stairs;
- Extension of the exhibition hall roof along the river front elevation to conceal a chimney for air intake into the plant area; (this does not alter the height building)
- Changes to the material for the Co-Ex and Galleria roof from slate to standing seam metal;
- Changes to the curved feature of the Galleria roof and removal of a roof light.

1.35 Arena and Administration Building

- Changes to the Arena roof design including materials and modification to the eaves;
- Changes to the Arena service yard to improve access and egress including creating wider doors;
- Articulation and changes to elevation detail of the Hawks Road entrance to the arena;
- Activation of the Coal Drops elevation including new areas of glazing and new glazed panels;
- Articulation of Hawks Road elevation to create new fins to break up the wall and create opportunities for signage, art or site wayfinding;
- Activation of the administration building on the corner of Hawks Road and Mill Road including additional glazing and new reinforced walls added.

### 1.36 General (Site Wide) and Public Realm

- Refinement of the security strategy for certain events allowing for additional screening and queuing lanes;
- Adjustments to design of both South Shore Road and Hawks Road to accommodate additional transport requirements and security measures, to manage vehicle movements during major events, including:-
  - Additional bollards on both routes;
  - A raised bund adjacent to Hawks Road to the south-west of the site;
  - A raised platform pedestrian crossing; and
  - New security gates;
- Adjustments to tree locations, planter lines and SuDS strategy to reflect the constraints of buried utilities;
- Addition of further wind mitigation elements to Hawks Road;
- Minor adjustments to the public realm layout to allow for vehicular access and movement needs;
- Development of a strategy for the provision of artwork throughout the site.

### 1.37 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

The Council considers that this proposed mixed use development falls within Part 10 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, of which Part 10(b) relates to urban development projects, including on sites of more than 1 hectare. For such developments, EIA is required where significant environmental effects are likely, which is considered to be the case here. As such the proposed development is considered to be Environmental Impact Assessment (EIA) development and has been submitted with an Environmental Statement (ES). The submitted ES has been structured to ensure that the effects arising from the scheme are understood in addition to the cumulative effects arising from it together with the associated infrastructure works (MSCP and Link Road, see DC/20/00694/FUL and DC/20/00698/FUL).

### 1.38 The ES includes chapters relating to:

- Townscape and Views
- Transport and Accessibility
- Air Quality
- Noise and Vibration
- Socio-Economics
- Built Heritage
- Archaeology
- Water Resources and Flood Risk
- Ground Conditions, Soils and Contamination
- Ecology and Nature Conservation
- Wind Environment
- Daylight, Sunlight and Overshadowing
- Climate Change and Resilience
- Health and Wellbeing

- Waste and Recycling

1.39 Gateshead Council is the landowner for this development. As required by regulation 64 of the 2017 EIA Regulations, the Council has appropriate administrative arrangements in place to ensure that there is a functional separation, between the persons bringing forward this proposal for development (the applicant) and the persons responsible for determining this proposal i.e. the Local Planning Authority.

1.40 RELEVANT PLANNING HISTORY

DC/20/00698/FUL: Planning permission granted for erection of a new ten-storey multi-storey car park, electricity substation and vehicular access including landscaping and other associated works (amended 09/10/20). The application was approved by Planning and Development Committee on 28<sup>th</sup> October 2020.

DC/20/00694/FUL: Planning permission granted for proposed link road, cycleway and footpaths connecting Hawks Road and Albany Road including provision of signalised junctions, landscaping and drainage. The application was approved by Planning and Development Committee on 7<sup>th</sup> October 2020.

DC/13/00854/DEM: Prior approval approve for demolition of all industrial units on the site (Hawks Road Industrial Estate).

DC/04/01841/GBC: Planning permission granted for temporary change of use of land to two car parks, permanent construction of a public square and associated vehicular and pedestrian accesses, paths and steps and land east of the Sage Gateshead.

997/02: Hybrid planning permission granted, with detailed permission for stage 1, for a leisure devt. (A3/D2) including temp. car parking/hoardings, landscaping & Maidens Walk access & outline appn. for future mixed use devt. including leisure uses (A3/D2), local convenience store (A1 up to 600sqm gross), hotel (C1), residential (C3) & multi-storey car park.

581/00: Reserved matters approved for erection of a leisure complex comprising leisure units/cinema (use class D2), restaurant/bar units (use class A3) and hotel (use class C1) with associated multi-storey car park, access and landscaping.

580/00: Planning permission granted for development of land to provide 237 residential apartments, car parking, access and hard & soft landscaping (amended 6/11/00 and 5/12/00).

1334/98: Planning permission granted for development of 4.3 acres of land for leisure (D2), food and drink (A3) and hotel (C1) uses with associated car parking facilities.

762/98: Planning permission granted for reclamation of derelict industrial site including erection of retaining wall fronting South Shore Road, erection of

1.9m high security fence along northern and eastern boundaries of site and provision of facilities for crushing of excavated materials on site.

1155/97: Planning permission granted for erection of a regional music centre (use class D2) including concert halls, music school and children's centre with associated roads and paths, car parking facilities and open space (revised application).

## **2.0 Consultation Responses:**

Coal Authority	No objections subject to conditions.
Environment Agency	No objections subject to a condition.
Highways England	No objections subject to a condition.
Historic England	No objections.
Marine Management Organisation	No objections.
Natural England	No objections.
Newcastle City Council	No objections.
Nexus	No objections.
Northern Gas Networks	No objections.
Northumbria Water	No objections.
Northumbria Police	No objections subject to a condition.
Port Of Tyne	No objections.
Tyne and Wear Archaeologist	No objections subject to conditions.

## **3.0 Representations:**

- 3.1 Two rounds of neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) 2015. The first round in April 2020 included issuing 162 postal letters, the display of 10 site notices in and around the demise of Baltic Quay flats and 10 further sites across the wider area. A press notice was also issued. The second round in September 2020 included issuing a further 162 postal letters, issuing an e-letter to everyone that lodged a representation following the first round of notifications, the display of 4 new site notices around the application site and a further press notice.

- 3.2 In total across the two rounds of neighbour notifications the following responses have been received.
- 3.3 29 letters of support have been received in respect of the application from local residents, businesses and industry professionals and a summary of the key points raised is as follows:
- The scheme is well designed.
  - A big positive for Gateshead.
  - Will bring much needed prosperity to the area.
  - A significant revenue stream for the Council.
  - Will boost local employment and provide new job opportunities.
  - Will help to tie The Sage and Baltic together.
  - Landscaping and lighting look excellent.
  - Provision of enhanced links to the town centre is welcomed.
  - Will bring increased footfall to the area.
  - Will be able to attract large scale events to the area that wouldn't normally come due to lack of suitable facilities.
  - Will raise the profile of Gateshead and North East England on an international stage.
  - The outdoor events space is a real positive.
  - Increased business and leisure tourism from having such a venue.
  - Will have a huge positive impact on other local businesses.
  - Will be a major regenerator to the region.
  - Would create approximately 2000 construction jobs and approximately 1000 jobs once scheme is completed.
  - Linking the scheme to the Gateshead District Energy Centre will assist in making the development more sustainable.
- 3.4 154 letters of objection to the application have been received from neighbouring occupiers, residents and interested parties and a summary of the key concerns raised is as follows:
- The proposed hotel is too big and will create significant residential amenity concerns to residents of the neighbouring Baltic Quay Flats, including overshadowing, loss of light and overlooking.
  - The loss of light to neighbouring occupiers creates health implications.
  - The design of the hotel building is out of character with the area and does not reflect the Tyne Gorge Study.
  - The scale, mass and position of the hotel represents an overdevelopment of the site that would look out of keeping with the surrounding area and would harm the conservation area.
  - Windows on the hotel and the sky bar would result in a loss of privacy to residents in Baltic Quay flats.
  - Neighbouring residents would suffer a loss of view as a result of the proposed hotel.
  - Neighbouring residents would suffer a loss of value to their properties as a result of the proposed hotel.
  - Noise and disturbance during the construction phase.

- Noise and disturbance once operational from service yards and deliveries.
- Noise and anti-social behaviour once operational due to open air sky bar, communal areas and crowds leaving after events at 11pm onwards.
- Light intrusion.
- Cooking smells and odours.
- Increased traffic on already congested roads, how will this be managed?
- The development is at odds with the clean air zone plans and will create air quality issues.
- The development will reduce the level of car parking in the area.
- How will CO2 output be minimised? The development raises sustainability issues.
- A poor location for the development.
- A development this size is not needed.
- A public green space would be better.
- Another hotel is not required in the area.
- The scheme increases the risk of terrorist attacks.
- Landscaping is inadequate.
- A design competition should have been held.
- Insufficient consultation with residents.
- The scheme should have been subject to a design review.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

QB1 Quays and Baltic Sub-Area

QB2 Gateshead Quays Key site

UC11 Gateways and Arrival Points

UC12 Urban Design

UC13 Respecting and Managing Views

UC14 Heritage

UC15 Urban Green Infrastructure

UC16 Public Realm

UC17 Public Art

CS2 Spatial Strategy for Urban Core

CS8 Leisure, Culture and Tourism

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

ENV3 The Built Environment - Character/Design

ENV9 Setting of Conservation Areas

ENV11 Listed Buildings

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp – Potential

ENV26 - The River Tyne Gorge

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

ENV61 New Noise-Generating Developments

DC1D Protected Species

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

MWR28 Prov of Facilities in new Developments

Gateshead Quays Development Framework

GPGSPD - Gateshead Placemaking Guide SPG

IPA4 Tyne Gorge Study

## 5.0 Assessment of the Proposal:

### 5.1 ASSESSMENT

The main planning issues to be considered are the principle of the development, transport/highway safety, air quality, security, design, residential amenity, landscaping, heritage, ecology, drainage, contaminated land and coal mining legacy.

### 5.2 PRINCIPLE

The application site is located in the Urban Core, the Quays and Baltic Sub-Area Policy QB1 of the Core Strategy and Urban Core Plan (CSUCP), as well as forming part of the Gateshead Quays 'Key Site' Policy (QB2) of the CSUCP.

### 5.3 Site Specific Policy

Site specific Policy QB2 is split into two main parts. Part 1 allocates the site for mixed use development, with Office (B1), Leisure and Conferencing Facilities (D1, D2), Hotel (C1), and Residential (C3) with ancillary Retail (A1, A2, A3, A4) uses being the principal uses supported. Part 2 of the policy sets out that 'Development will provide cultural and commercial focus' via consideration of 11 defined requirements to be applied, where applicable, to the development in question.

### 5.4 The 11 defined requirements are as follows:

- i. The provision of new public space(s), which will provide opportunities for performances, events and external exhibitions, expanding the functionality of the existing Performance Square and Baltic Square,
- ii. The provision of green spaces to form part of a green infrastructure corridor from the Exemplar Neighbourhood, through the Baltic Business Quarter towards the Quays. This will include a series of pocket parks and squares integrated into the new development linking to existing spaces to the west and east of the site,
- iii. The provision of a defined public realm network using streets, squares, lanes and stairs, with a legible and permeable urban structure, which clearly defines public and private space,
- iv. The provision of a primary pedestrian route through the site to ensure improved pedestrian and cycle access from Central Gateshead to the riverfront,
- v. The development of new public car parking at Mill Road/Hawks Road,
- vi. Ensuring that development along Oakwellgate will enhance the setting of St Mary's Heritage Centre,
- vii. Enhancement of Maidens Walk Coal Drops through the use of illuminations,
- viii. The provision of effective surface water management, following the drainage hierarchy,
- ix. Avoidance and mitigation of tidal flood risk along the river front, over the lifetime of development,
- x. Consideration of the potential to incorporate surface water flow paths as a design feature, to convey surface water into the River Tyne, and

- xi. A Foul and Surface Water Drainage Strategy which demonstrates there is adequate foul and surface water capacity for the development with the aim of reducing flood risk and ensuring no deterioration of water quality.
- 5.5 Firstly, in respect of part 1 of policy QB2, it is considered that the mix of uses proposed in this application, a multi-functional indoor arena (D2), exhibition and conference centre (D1), dual-branded hotel (C1) and ancillary retail (A1, A3 and A4), is in accordance with the uses supported by policy QB2.
- 5.6 The proposed conference/exhibition centre would be used on a daily basis for meetings, conferences and by hotel guests, whilst the arena would be predominately used on event days (although staff will be present on other days). Small-scale retail and food / beverage uses are commonly found within or in close proximity to major visitor destinations and event venues such as this. In particular, they help to maximise the revenue they generate, extend dwell time and meet visitor expectations, providing eating and drinking facilities, as well as selling merchandise and associated goods in association with the primary attraction.
- 5.7 Such facilities would be ancillary, in functional terms, to the overall mixed-use development. It would not be appropriate, therefore, to locate these uses anywhere else within the Urban Core, including within the defined Primary Shopping Area (PSA). This is because the need for these facilities would not exist without the overall mixed-use development as the primary destination / attraction and the demand which it creates. Locations elsewhere, including within the PSA, would not therefore meet the locational and operational need generated specifically by this development.
- 5.8 With regard to part 2 of policy QB2, it is considered that points i-v and viii-xi are particularly relevant to this application. Points vi and vii relate to developments along Oakwellgate and development of the Coal Drops respectively, neither of which form part of this application and so are not engaged in this case. It is considered that the proposal is in accordance with the relevant points of part 2 of policy QB2 and the subsequent sections of this report shall demonstrate as such.
- 5.9 It is worth noting that point v of policy QB2 has been addressed via a separate planning application reference DC/20/00698/FUL for a multi-storey car park on land adjacent to Hawks Road, which was approved by Planning and Development Committee on 28<sup>th</sup> October 2020 and would be delivered in advance of this proposal becoming operational.
- 5.10 Other relevant policy considerations  
Policy QB1 of the CSUCP look to achieve major regeneration of the Quays and Baltic Sub-Area for a diverse mix of cultural, commercial and leisure-led uses by requiring consideration of improvements and enhancements to the environment, accessibility and the green infrastructure network.

- 5.11 It is considered that this application is in accordance with the points of policy QB1 that are relevant to this proposal and the subsequent sections of this report shall demonstrate as such.
- 5.12 Policy CS1 prioritises the Urban Core as the location for major leisure, culture and tourism development in an attempt to create a more prosperous economy through the creation of 22,000 new jobs.
- 5.13 Policy CS2 earmarks the Urban Core as the priority location for development which will maintain and enhance its vibrancy. This will be achieved, in part, by supporting developments which enhance and diversify culture, leisure and tourism.
- 5.14 Policy CS5 further affirms that Gateshead will play a major role in the economic growth of the North East which will be achieved, in part, by strengthening and clustering economic assets and promoting growth sectors including retail, leisure, health and tourism in the Urban Core.
- 5.15 Policy CS8 asserts that development which improves the range and quality of leisure, culture and tourism facilities, including major sports venues and events, will be encouraged by focusing leisure, cultural and tourist attractions in the Urban Core and at accessible locations.
- 5.16 In terms of the CSUCP's urban core policies, Policy UC3 stipulates that development which enhances and diversifies leisure, culture and tourism will be achieved by extending the offer across the daytime and night time to a broader range of visitors through:
- Business visitor uses and conference facilities;
  - Family-friendly visitor attractions; and
  - The provision of a range of hotels.
- 5.17 Furthermore, paragraph 14.34 under Policy UC3 confirms that business tourism uses including conference facilities will be promoted at Gateshead Quays, which are to be complemented by a range of family-friendly uses. Hotels will also be promoted to increase the choice and range of provision.
- 5.18 The Gateshead Quays Development Framework further sets out the requirements for the various development plots that together form the Gateshead Quays framework area. The Development Framework notes that the application site, which is referred throughout as Plot QB2-A, provides the potential for two large footprint development parcels. The Framework additionally states:
- “The size and location of these parcels provide the opportunity to deliver larger footprint uses such as leisure and cultural landmarks – supplemented and supported by retail and commercial uses.”
- 5.19 Taking all of the above into account, it is considered that the principle of the proposed development is in accordance with the CSUCP. The proposals

seek to drive forward the continued regeneration of the Gateshead Quays area by delivering a landmark development on a currently vacant site. In doing so, the development would support the strategic objectives of the CSUCP by enhancing the Urban Core's vibrancy and promoting Gateshead's culture, leisure and tourism sectors.

#### 5.20 ECONOMIC BENEFITS

An economic impact analysis has been undertaken of the proposed scheme using the outputs from the detailed business case. The analysis shows that from an economic and investment perspective the key features of the Gateshead Quays scheme are:

- Construction investment of £200m, including expected substantial private sector investment;
- Increase in Arena event footfall of over 216,000 per annum compared to the existing Newcastle arena's performance (a 57% increase);
- Additional conference and exhibition visitors of 172,000 per annum once the venue is established – targeting at events aligned to the Region's strengths that Newcastle-Gateshead currently does not have the facilities to attract;
- Additional direct investment in the local economy of over £61m per annum, resulting in a net contribution to the economy from the scheme of over £36m; and
- Anticipated wider benefits of the investment at the Quays by leveraging further economic activity in Gateshead.
- Approximately 2000 jobs established during the construction phase.
- Approximately 1800 full time equivalent jobs established once the development is complete.

5.21 The proposed development would have a beneficial effect on the local economy by creating new construction jobs and Gross Value Added during the development phase and increased visitor numbers and operational jobs once the site has been built out and occupied. Given the scale and nature of facilities proposed, it is assessed that the proposed development would also make a wider economic contribution to the local and wider area/region by supplementing and supporting existing visitor attractions on the Newcastle-Gateshead Quayside. The proposed development is therefore considered to accord with the NPPF and policies QB2, CS2 and CS8 of the CSUCP in that regard.

#### 5.22 CLIMATE CHANGE/SUSTAINABILITY

The proposed development would connect to the Gateshead District Energy Centre, which would provide the development with combined heat and power. Furthermore, the construction phasing of the scheme has been considered in order to minimise carbon emissions and the proposed building fabric has been designed to minimise energy consumption once operational. The proposal is therefore considered to accord with the NPPF and policy CS16 of the CSUCP.

#### 5.23 AIR QUALITY

An Air Quality Assessment for the proposed development has been submitted as part of the ES under chapter F. Officers agree with the conclusions put forward that, subject to appropriate mitigation (see next paragraph) there would be no exceedance of relevant air quality standards at residential receptors, nor any significant impact on the wider town centre Air Quality Management Area or proposed Tyneside Clean Air Zone during both construction and operation.

5.24 To help ensure that is the case it is considered necessary for a Construction Environment Management Plan (CEMP) to be approved, which shall include measures to minimise fugitive dust emissions. This is to ensure that the construction phase is managed to prevent undue impact upon sensitive environmental receptors in accordance with the NPPF and policy CS14 of the CSUCP. This can be dealt with via conditions (conditions 3 and 4).

#### 5.25 ARCHAEOLOGY

The ES includes chapters on Archaeology and Built Heritage. This concludes that there is little potential for pre-industrial remains on the site, and the northern part of the site has been subject to remediation and landscaping works. On the southern part of the site there is significant potential for remains of the Gateshead Park Iron Works to be present. It states that the loss of the archaeological remains would be mitigated by a programme of targeted excavation, assessment, analysis and dissemination of the results. Officers agree with those recommendations and that the necessary mitigation can be secured via conditions (conditions 5-7).

5.26 Subject to those conditions it is considered that the development would accord with the NPPF and saved policies ENV21 and ENV22 of the UDP in that regard.

#### 5.27 CONTAMINATED LAND AND COAL MINING LEGACY

Contamination from extensive historic industrial site uses is known to be present below ground and has been confirmed in historic site investigations. Historic site uses have included; Iron works, coke ovens, rope works, machine tool works, and the presence of gas holders, tanks, railway lines and work buildings.

5.29 Appropriate remedial works / earthworks were undertaken to form the South Shore and Mill Road car parks as part of the development works for the Sage Gateshead music centre.

5.30 The former Kaufman industrial units site, which forms the southern part of the application site, has been fenced off and unused/derelict since the buildings were demolished to ground level in 2013-2014. It is known to have some underlying potential contamination issues, with strong hydrocarbon odours being evident during the demolition works, adjacent to Maidens Walk.

5.31 Based on the content of the ES and officers' detailed knowledge of the historic site investigations, reports, and historic remediation / development works,

there will be a need for soil some contamination remediation measures to be implemented. Given the nature of the development scheme, (ie commercial end use with extensive hard cover), and the major earthworks cut and disposal of surplus soils required, the required remediation works are likely to be limited to removal of any hotspots of hydrocarbon contamination and appropriate provision of clean cover soils in soft landscape areas.

- 5.32 .Following the implementation of the identified mitigation, which can be secured by conditions, all impacts are assessed to be negligible, with no significant residual effects. Subject to the conditions it is considered that the proposed development would accord with the NPPF, policy CS14 of the CSUCP and saved policy ENV54 of the UDP (conditions 8-10).
- 5.33 The Coal Authority has also been consulted and has raised no objection following consideration of the submitted details within the ES, which acknowledges that there is a risk to the development from past coal mining activity and that further works, including remedial measures to stabilise shallow workings are required. The report also identifies that risk from mine gas, including any mitigation measures necessary, would need to be considered as part of the development proposals. This is to ensure that they are adequate to properly assess and remediate the risks posed in order to ensure the safety and stability of the development.
- 5.34 Again, following the implementation of the identified mitigation, which can be .secured by conditions, all impacts are assessed to be negligible, with no significant residual effects. Subject to the conditions (conditions 11-13) it is considered that the proposal would accord with the NPPF and policy CS14 of the CSUCP in that regard.
- 5.35 **FLOOD RISK AND DRAINAGE**  
The site is located in flood zone 1, apart from a small section of Baltic Square where no built development is proposed, and thus for the most part falls within the low flood probability category, as defined by the Environment Agency. However, due to the size of the application site a flood risk assessment (FRA) has been submitted. The FRA demonstrates that the application site is not a risk from flooding by rivers or the sea. With regard to surface water, the FRA demonstrates that the application site is not currently at risk from flooding by surface water, with the exception of a section of South Shore Road that has a low existing risk. Therefore, development of the site for the proposed uses is considered appropriate in flood risk terms without the need for an exception test. The development is in accordance with the NPPF and policy CS17 of the CSUCP in that regard.
- 5.36 Furthermore, being a major a development a drainage assessment has also been submitted, which looks to incorporate SuDS into the proposed development in accordance with CSUCP Policy CS17. The proposed drainage system comprises the following:
- Rain gardens along the western margin of the site that would also take run off from the arena roof via a twin pipe filter drain.

- The western margins would also feature permeable surfaces within the public realm.
- Terraced rain gardens to the new Performance Square.
- Green roofs to the arena service yard and administrative office building.
- A full retention separator with silt capacity for surface water from the service yard to treat sediment and pollutants.
- New outfalls to the River Tyne, removing the need for significant underground storage tanks to manage discharge rates into sewers.

- 5.37 The applicant has followed the SuDS hierarchy and has demonstrated that the system proposed here fulfils the requirements of national and local planning policy, as it would have a negligible impact upon flood risk, including a 40% increase in rainfall intensity to account for potential climate change and would manage water quality to minimise any pollution issues for the River Tyne and its associated habitats.
- 5.38 To help ensure that is the case, it is considered necessary for a final drainage construction method statement and also a drainage maintenance plan to be approved. This is to ensure that the proposed drainage is installed as proposed and managed to prevent undue impact upon sensitive environmental receptors in accordance with policies CS17 and QB2 of the CSUCP. This can be dealt with via conditions (conditions 14-17).
- 5.39 In addition, following consultation the Environment Agency (EA), they have raised no objections and consider the development would be acceptable, subject to the proposed CEMP detailing the protection of and mitigation to species such as otter, fish species and management of Invasive Non-Native Species (INNS), as well as preventing pollution upon sensitive receptors such as the River Tyne (see condition 3).
- 5.40 The EA have also confirmed that the submitted Water Framework Directive (WFD) assessment has correctly considered the risk to WFD status of the Tyne estuary. The EA agree that the impacts associated with construction of the development would be temporary and negligible and the potential permanent impacts have been assessed as minor and mitigation identified through the management of surface water runoff.
- 5.41 **TRANSPORT**  
The proposal is expected to provide economic growth and form a catalyst for further development, giving the area a much-needed boost in terms of investment and job creation.
- 5.42 With the positive benefits the proposed development would bring, there would be a significant growth in demand for travel associated with the predicted numbers of staff and visitors. As a result, there have been prolonged discussions associated with the assessment of the demand that the proposals would place on the transport network, in order to best understand the future impact and infrastructure requirements of this substantial development.

- 5.43 The application is accompanied by a Transport Assessment (TA) and a subsequent Transport Assessment Addendum (TAA) produced as part of the Environmental Impact Assessment (EIA), the scope of which has been agreed with officers. The assessments consider a range of demand scenarios associated with the proposed development, depending on the events being held.
- 5.44 Three key demand scenarios have been considered as part of the assessment:
- Typical Operation (AM and PM) - 1,500 attendees at a Consumer Exhibition
  - Major Event (PM and Saturday Late Evening) - 12,500 attendees at the Arena plus 500 attendees at a banquet in the CoEx
  - Matinee Event (Saturday Midday) - Two consecutive family shows at the Arena each with 3,200 attendees.
- 5.45 It is not expected to be a regular occurrence where the Arena and CoEx are in a 'dual-host event mode'. The event schedule provided by the applicant during scoping discussions predicts there would be 100 events per year where the average attendance is between 3,200 and 10,000.
- 5.46 Traffic impact assessment  
As identified above, while the predicted frequency for 'matinee events' and 'major events' to occur is limited, given it will be these events that have the greatest impact on the highway network, full consideration has been given to them when determining the suitability of the transport infrastructure to deal with the development proposal.
- 5.47 While limited data exists in relation to how people travel to arena venues, information from the existing Newcastle arena suggests that 63% of trips are made as car occupants, while information from Leeds arena reflects a similar figure. In order to achieve a robust assessment it was agreed that a figure of 70% would be used to assess the impact of the proposed development.
- 5.48 Using relatively high figures for car borne trips implies that travel by other modes will be low, however given the potential number of visitors to the assessed events, this still represents a significant number of trips by more sustainable modes, which highlights the need to ensure infrastructure for such trips is fit for purpose, this is further compounded by the need for people whose primary mode of transport is as a car occupant having to move between the point at which the vehicle is parked and the venue and vice versa.
- 5.49 In order to determine the level of impact, the transport consultants AECOM were commissioned to develop a microsimulation model using VISSIM software, the model was designed to be capable of assessing the Quays development, the proposed (and now approved) MSCP, the north/south link road and the wider Baltic Quarter. The model scope was agreed with officers

and the applicant's transport consultants and ensures a robust and informed assessment of the proposals to be made.

5.50 The model extends from the junctions with Gateshead Highway/Hawks Road and Gateshead Highway/Park Lane in the west, to the junctions of Albany Road/Park Lane and Albany Road/Saltmeadows Road to the east. As such, the model includes the key junctions at:

- East Gate/Oakwellgate,
- Hawks Road/Quarryfield Rd/Mill Road,
- Quarryfield/Abbott's Hill,
- Park Lane/Albany Road,
- Albany Road/Quarryfield Road,
- Albany Road/Saltmeadows Road,
- Plus other minor development priority junction access onto the network.

5.51 The transport aspects of the proposals have been the subject of very thorough scrutiny and testing. Officers raised concerns in relation to the level of modelling and the associated analysis contained within the original TA and required further modelling and assessment to be undertaken. As such the transport assessment addendum (TAA) was prepared, this updates the application in relation to the modelling that has been undertaken.

5.52 The modelling has looked at several development scenarios with and without the MSCP and link road in situ. Given the delivery of these developments are intrinsically linked to the Quays development, the following comments are based on all three developments being operational.

5.53 AM Peak

The results from the AM peak identify that with the developments operational, under typical operation conditions, there is only a marginal deterioration of highway performance and no additional mitigation is required.

5.54 PM Peak

Under typical operation conditions, modelling output identifies that there is only a slight deterioration in the performance of the highway network, with the greatest impact between 1700 and 1800 when background congestion is at its greatest.

5.55 Under a major event scenario, the modelling shows a much greater impact, with a significant level of vehicles unable to enter the modelled network (latent demand). To address this the following mitigation was agreed:

- Optimisation of traffic signals
- Changes to the Albany Road/Park Lane junction to replace the existing double left turn with a double right turn.
- Directing eastbound traffic leaving the MSCP along Saltmeadows Road

- 5.56 The modelling of the network following the introduction of these measures showed a large reduction in the latent demand, although increased queuing was still expected at Oakwellgate.
- 5.57 Saturday Afternoon (Matinee)  
Modelling demonstrates that the result of the infrequent matinee events on a Saturday afternoon would result in noticeable increases in average delay, even with the additional capacity created by having the north-south link road in place, as vehicles would struggle to exit the MSCP and a key constraint would exist at the Albany Road/A184 Park Lane junction. With mitigation in place, modelling results are much improved, although some difficulties would still be expected.
- 5.58 Saturday Evening (Major event)  
The addition of major event demand in the initial model runs identified a significant increase in delay, with large numbers of vehicles unable to enter the network. This was largely due to the demand (1000 vehicles) wishing to leave the MSCP post event.
- 5.59 As for the PM peak, when mitigation measures are implemented, there are noticeable improvements to the performance of the highway network, although latent demand is still being observed within the model output and localised delay would be expected, with competing demands at the southern end of the new link road resulting in queuing traffic wishing to leave the area. Such major events where parking demand will be at maximum are expected to occur between 24 and 50 times per year, it is suggested that a degree of delay when leaving such events would be expected.
- 5.60 Given the findings of the above, it is clear the Council's commitment to deliver the link road, in support of the MSCP, which are required to facilitate the Quays development, is vital. It is also extremely evident that further mitigation through the optimisation of traffic signals, changes to the Albany Road/Park Lane junction and traffic management measures to control the flow of traffic travelling eastbound are required to best manage demand and delays on the local network. Final details of these mitigation requirements, including a timetable for delivery, can be secured by condition (conditions 18 and 19).
- 5.61 In addition to the above, and in order to fully assess the likely future impact of the development proposal on the local transport network, council officers requested that further modelling was undertaken, to consider background growth in the area associated with committed development, and with the build out of a proportion of development sites in the wider Baltic Quarter, this was considered for 2023 (opening year of the Quays development) and 2030 (end of the current local plan period). On review of the additional modelling output as submitted in support of the Link Road and MSCP application, it is clear that the development proposals together with future growth in the Baltic Quarter area will have an impact and in many cases a significant impact on the operation of the local road network, the following provides a summary of those impacts.

5.62 AM Peak with future growth

Results of the modelling under the typical operation scenario show there is a slight deterioration of the highway network in the 2023 (opening year of the Quays development), by 2030, and with further growth of development in the area, parts of the network, such as Saltmeadows Rd which already suffer from congestion, will experience greater delay with journey times increasing. The increase in demand in the Quays during the AM peak has limited impact on the other key strategic locations including the A184 (Park Lane) and the Oakwellgate junction.

5.63 PM Peak with future growth

As with the AM peak, under typical operation in the PM peak there is marginal deterioration in the network performance with increases to journey times and lower average speeds.

5.64 In the scenario of a major event occurring at the proposed arena, the modelling predicts a much bigger impact on the performance of the highway network. In the 2030 development scenario the latent demand (vehicles unable to enter the modelled network) increases substantially, this essentially means that the predicted increases in journey times will be higher than that recorded in the modelling output. The most significant impact during the PM peak under the future development scenario is recorded as being at East Gate.

5.65 Saturday Afternoon (Matinee) with future growth

During matinee events, the local network will again see deterioration in its operation, with increased average delay. The Albany Rd/A184 junction is one of the key constraints on the network, this is primarily due to the number of vehicles wishing to exit the MSCP in a short space of time. Congestion would be largely contained within the Quays but some impact on the wider local network would be expected.

5.66 Saturday Evening (Major Event) with future growth

As with the Saturday afternoon scenario, with a major event occurring on a Saturday evening, the demand for vehicles associated with the Quays development exiting the MSCP will impact on the performance of the highway network, with delays exiting the car park and getting through the most constrained areas. The modelling output demonstrates that the impact would be contained within the Quays area.

5.67 In summary, the Quays development together with additional growth in the area in both 2023 and more notably 2030, will result in increased demand on the highway network, which under certain scenarios will be significant and extend beyond the immediate area. In 2023 under typical conditions, it is predicted that the impact of the development during the AM and PM peaks will be marginal, as other development comes forward as predicted under the 2030 scenario and considered through planning, further mitigation would need to be considered to better manage the impact this is anticipated to have. It should be noted that as part of this additional modelling exercise, measures relating to routing of eastbound traffic along Saltmeadows Road and changes

to the Albany Road junction were not considered, the conclusion of the initial modelling exercise which did not consider background growth, would suggest that these measures together would allow the network to flow more efficiently, as such and as previously commented, the detailed design of these measures and their delivery should be secured by condition (conditions 18 and 19).

5.68 Clean air proposals

The TAA provides some consideration of sensitivity testing which was undertaken to consider the development impacts with clean air measures in place. The clean air proposals are based on the government directive that requires Local Authorities (LAs) to bring levels of NO<sub>2</sub> in identified areas to a compliant level by 2021.

5.69 It should be noted, the clean air proposals are temporary (initially for 2 years) and may be removed if air quality levels naturally improve, however, the sensitivity assessment assumes they are in place for the 2023 and 2030 scenarios with background development growth.

5.70 The results of the sensitivity test show that even without the development demands, the network in the vicinity of the application site will be saturated, without action, this would be exacerbated by the demand created by the Quays development.

5.71 Under the clean air sensitivity test, the link road is not seen to carry the same benefit it does without these measures in place, this is due to the level of congestion on the wider network. When combined with traffic signal optimisation as discussed previously there are some small benefits in reduced latent demand.

5.72 It should be acknowledged that if the clean air proposals are delivered and continue to be in place beyond the indicated two year temporary period, coinciding with increased demand in the vicinity of the development site, then further work will be needed to manage the flow of traffic through Gateshead Quays.

5.73 The results of this sensitivity test while providing useful context do need to be considered with caution, due to the complexities of modelling the clean air proposals, there are significant uncertainties in relation to driver response and associated route choices associated with increased delay and the propensity for modal shift to public transport. A greater proportion of people may also choose to travel outside the traditional network peaks. This is a trend that has been apparent as people returned to workplaces following the initial lockdown associated with the Covid 19 pandemic.

5.74 Coach Parking

The GQDF requires improved coach parking for future developments. The application as presented does not propose any coach parking facility.

5.75 Evidence relating to the need for coach parking is inconclusive, existing coach parking at the Sage Gateshead is underutilised for much of the time, although

during certain periods it can be oversubscribed. ASM Global, who will operate the proposed development, state that their evidence shows that coach company group bookings is very much on the decline, with the existing coach park (11 spaces) at the Sage Gateshead suitable to meet demand associated with the proposed development.

5.76 In discussion with the council's parking and regulation officers, it is considered that measures could be put in place to maximise the availability of the existing bays although as the applicant does not control the coach park the agreed measures will be implemented by the council as landowner and operator. This review would need to be completed prior to occupation of the development, and the details can be secured by condition (conditions 20 and 21).

5.77 Taxis

The proposal as submitted looks to utilise existing taxi infrastructure, with no additional facilities being provided. Furthermore, taxis will no longer be able to operate along South Shore Road due to the measures which have been identified as being required to meet security needs, restricting the use of South Shore Road to buses and managed access for service vehicles.

5.78 The TAA identifies that there are a series of taxi ranks within a short walk of the site both on the Gateshead and Newcastle side of the river. Officers have previously advised that dedicated facilities should be provided for both Hackney carriages and private hire operatives, as part of the development proposal. The constraints of the site together with the security measures that have been identified as being required to secure the site means the ability to provide such facilities has been limited and retention of the existing bays in their current form on South Shore Road may not be possible. Therefore, final details will need to be secured by condition (conditions 22 and 23).

5.79 The applicant has indicated that the proposed operator, ASM Global will use a preferred taxi supplier arrangement to try and best manage pickup and drop off away from the areas which would create conflict with other highway users. Final details of the preferred taxi supplier arrangement and an associated management strategy will need to be conditioned for approval (conditions 24 and 25).

5.80 Drop off/Pick Up

No drop-off / pick up areas will be provided within the proposed site; visitors are encouraged to park away from the site to minimise security risks and highway impact. While it is understood the intention is to encourage visitors to use public transport, it is likely it will encourage erratic pick up and drop offs within the local highway causing disruption to the flow of both vehicle traffic and pedestrians. Designated drop off/pick up areas provide advantages to the Council, as they can be controlled and managed.

5.81 It is proposed the MSCP and nearby existing car parks are to be utilised for the likes of those collecting young concert goers, to park up and walk closer to the venue. However, there is no guarantee people will not park in the car park

and instead idle at the entrance or in the car park itself causing unnecessary road safety issues.

- 5.82 Officers also have concerns about accessibility for disabled ticket holders which may not be able to travel away from the site and a drop off/pick up area would be beneficial. Although, there is a commitment from the Council to provide additional accessible parking within the existing Sage Gateshead car park.
- 5.83 As with comments provided above relating to taxis, the approach to pick-up and drop-off whereby visitors will be advised to make arrangements away from the development site, could cause significant safety concerns, particularly during a major event or a maximum scenario cross venue event. As a minimum, area wide restrictions on the highway would need to be reviewed to consider what amendments would be required to manage drop-off and pick-up, with any changes being agreed and delivered prior to occupation. As part of the final travel plan and communication strategy for the site, information deterring ad-hoc pick-up and drop-off will need to be incorporated. It will also be imperative that the opportunity for alternative travel choices are maximised to mitigate the potential impact associated with erratic drop off/pick up.
- 5.84 Car Parking  
The submitted application considers the parking needs of the development, with surveys undertaken at a series of car parks in Newcastle and Gateshead. In order to assess the parking needs it has been assumed that 70% of visitors would be car occupants.
- 5.85 When considering parking it is acknowledged that the delivery of the development will see the closure of the existing Mill Road and South Shore Rd car parks, as such the delivery of the proposed MSCP is deemed paramount to the successful operation of the Quays development. Nevertheless, the demand for car parking is expected to be far greater than the capacity of the MSCP particularly for major events.
- 5.86 The results of surveys and assessments carried out by the applicant's consultant identified that the parking demand associated with the development can be met by the proposed MSCP and existing car park provision within a 10 minute walk of the development site, considering capacity in both Newcastle and Gateshead.
- 5.87 For the rare occasions that large simultaneous events occur across the development and at the Sage Gateshead allowing for up to 18,000 visitors, the modelled additional demand for car parking could not be met by those car parks approximately a 10-minute walk away from the venues. In these instances, car parks within an approximate 20 minutes walk of the site have been considered, the available capacity of these car parks has been shown to meet the anticipated demand.

5.88 While some questions remain around the availability of spaces within a number of the car parks assessed, together with the actual number of on street spaces that will be available, the consideration of 70% of visitors being car occupants is deemed to provide a robust measure for the demand for parking, equally the frequency of simultaneous events occurring is anticipated to be low.

5.89 Sustainable Transport Assessment

The ability for the development to maximise the opportunity for trips by sustainable modes of travel is deemed to be absolutely vital to making the development proposal acceptable and ensuring the transport network can suitably deal with the demands that will be placed upon it. Furthermore, even the high proportion of car borne trips that has been considered as part of the overall EIA, will need to arrive and leave the site predominantly as pedestrians.

5.90 The TA, and subsequently the TAA, have provided a significant amount of detail, particularly relating to public transport demand and pedestrian flows, which has been supplemented with a series of meetings and discussions with officers.

5.91 Pedestrians

The assessment of pedestrian walking routes as undertaken by the applicant concludes that the following pedestrian improvement measures should be included as part of the development:

- Preventing general traffic using areas adjacent to the development site on South Shore Road and Hawks Road immediately following the end of major events. This forms part of the proposed traffic management strategy associated with security measures.
- Review of the layout and signal timings at the Mill Road/Quarryfield Road/Hawks Road junction in connection with the above.
- Implementation of the proposed 'super crossing' on Hawks Road.
- Increased footway widths on the north side of Hawks Road adjacent to the development.

5.92 Whilst the principle of these works is agreed, full details associated with these improvements will need to be secured by condition, together with a timetable for delivery (conditions 26 and 27).

5.93 Notwithstanding the above, which officers consider to be appropriate, further mitigation is also considered necessary.

5.94 The method used by the applicant in undertaking the assessment of pedestrian facilities simply considers number of pedestrians and the width of the footway. It is determined that this method simply assesses crowding and does not consider the comfort level for pedestrians. It is concluded by officers that the method does not fully take into account crossing points and does not measure the full pedestrian environment, including street furniture, pinch

points and the willingness of pedestrians to walk at the extremes of the footway, either at the kerb edge or building edge for example.

- 5.95 As a consequence of concerns raised, the Council's transport planning officers have undertaken their own review of pedestrian facilities, determined likely desire lines and connection with other key locations including the proposed MSCP, the wider Gateshead Town Centre and particularly the transport interchange. The conclusion of this review is that the following measures are required in order to ensure the pedestrian network is suitable for a development of this size:
- Implementation of measures to allow closure of Hawks Road and Quarryfield Road to traffic from the entrance of the proposed MSCP and Quarryfield Road car parks respectively and ensure a safe environment for pedestrian's post event travelling towards these car parks.
  - Review/implementation of traffic signal timing requirements for A167 crossing from East Street towards High Street.
  - Introduction of signage/other measures to deter pedestrians crossing to Auto Trader site from Hawks Road.
  - Review pedestrian crossing at East Street to ensure timing and infrastructure are suitable for peak pedestrian demand.
  - Replace the existing two stage pedestrian crossing at the south end of the Tyne Bridge with a single stage crossing. Review signal timings to ensure peak pedestrian demand can be accommodated.
  - Widen footway on south side of Hawks Road between the Quarryfield Road junction and new multi storey car park.
  - A way-marking strategy directing pedestrians between the development site and Gateshead interchange/town centre, as well as through the site and to and from car parks.
- 5.96 As with the above, the implementation of these measures together with a timetable for delivery can be secured by condition (conditions 26 and 27).
- 5.97 Routes through the site are provided, although the topography of the site means that steps will be encountered at several locations, as a result there is not a fully accessible external route through the site. Lifts are provided internally at the northern entrance of the CoEx off South Shore Road and at the entrance of the dual brand hotel. It is understood that these lifts will be accessible 24 hours a day, as such a condition should be applied ensuring this arrangement remains in place for the life of the development unless agreed in writing otherwise (condition 28). Furthermore, final details of handrails along external stepped walkways requires approval, which can be secured by condition (conditions 29 and 30).
- 5.98 The site also incorporates Maidens Walk, which council officers consider to be an unadopted highway. This pedestrian and cycle route will need to be closed for a period during construction and then again in line with security proposals associated with large events. The management of this route from Hawks Road into 'Performance Square' is yet to be agreed, but it is considered that it can be addressed via condition (conditions 31 and 32).

#### 5.99 Cycling

The TA and TAA only briefly considers cycling, the topography of the site means that a cycle route through the site is not deemed deliverable, while this is disappointing the reasoning is accepted, the stepped access areas are to incorporate cycle channels to allow cyclists to wheel their bikes through the site. Final details of this facility together with delivery can be secured by condition (conditions 33 and 34).

5.100 Cycle parking is being proposed at various locations, including long stay cycle facilities for staff. The plan provided (Drawing number GQ-PIE-PB-ZZZZ-DR-L-91-1006) identifies both existing cycle parking and the proposed cycle parking for the site. It is concluded from this drawing that initial provision is to be made for 42 cycle parking spaces to add to the existing 20 spaces already available in the area. Final details of the cycle parking can be secured by condition (conditions 35 and 36).

#### 5.101 Public Transport

A review of public transport infrastructure within close proximity of the site has been undertaken, which concluded there would be sufficient capacity in the bus and Metro public transport networks.

5.102 The TAA builds on discussions that have taken place between the applicant, Gateshead Council officers, Nexus and Go North East. The report discusses both Metro and bus services during the Major Event and Matinee scenarios. A sensitivity test was also undertaken allowing for 18000 attendees across the proposed site and the Sage Gateshead. The sensitivity test revealed that under these conditions, demand for Metro and bus services generated by the proposed site could be accommodated. In the post-event period for the sensitivity test, demand for bus services may approach capacity but this level of demand would only be generated on a highly infrequent basis.

5.103 As a consequence of closures on South Shore Road and Hawks Road during major events, there will be an adverse impact on existing bus services, which as a consequence it has been concluded that the diversions of existing services are unlikely to be able to serve the area during these periods. While some weight has been given to the availability of alternative stops outside the immediate area, which are within walking distance, it has been agreed that enhancements to public transport services, in accordance with the GQDF, are required. It has been proposed to introduce a shuttle service that will operate between Gateshead Interchange and St Mary's Square. Final details relating to the operation of the service, which should encompass proposals for the diversion of existing services and the communication proposals that will encourage use of public transport, are yet to be agreed and as such should be secured by condition (conditions 37 and 38).

5.104 Localised improvements are proposed for bus stops directly serving the development, as well as the relocation of existing stops on Hawks Road and South Shore Road. Final details relating to these measures have not been provided but can be secured by condition (conditions 39 and 40).

5.105 Security Measures/Public realm

The nature of the development will result in large number of people accessing and egressing from the site during short periods of time, the consequence of this is that there are significant security risks associated with the proposals. Consequently, the applicant has put forward a series of measures, which are designed to make the site secure and an attractive area to visit.

5.106 The most notable measures from a transport point of view are the hostile vehicle mitigation (HVM) together with the wider public realm enhancements. This will consist of:

- Public realm improvements fronting the proposed CoEx are to consist of hard landscaping in the carriageway, hard and soft landscaping in the footway, traffic calming buildouts, the introduction of courtesy crossings, and the relocation of bus stops. Security measures with static bollards to protect the footway and rising bollards.
- On the Hawks Road frontage there will be a new ingress only access via the Hawks Road/Mill Road/ Quarryfield Road traffic signal-controlled junction, new egress only onto Hawks Road. The new accesses are to be protected by HVM with accesses to be open to accept HGVs and tour buses. Public realm improvements to the footway on the development side of Hawks Road with static bollards for security protection. The provision of an at grade 'super-crossing' on Hawks Road. HVM security gates at either end of Hawks Road to be closed manually for a short period post Major Arena events, with a protective bund at the south west end of Hawks Road.

5.107 Council officers have agreed the principle of the proposals subject to the conditions outlined in this report, a stage 1 road safety audit (RSA) being undertaken and an agreed designer's response received prior to a positive determination of the application. This work is ongoing and an update report to address it is anticipated.

5.108 The detailed design of the proposals will need to be submitted and carried out as part of a Section 278/38 agreement (together with wider highway works) along with the remaining stages of the RSA process. Traffic regulation orders (TRO) and or Traffic Management Orders (TMO) would be needed to facilitate the closure/restrictions of these roads.

5.109 The council would require the ongoing maintenance and any repair costs of all the infrastructure associated with security measures proposed to be fully met by the operator.

5.110 As previously commented the security proposals have an impact on Maidens Walk, the details of how this is dealt with need to be submitted and agreed via condition.

5.111 The location of the gates, especially at the western end of Hawks Road and eastern and western end of South Shore Road, could become drop off/pick up

areas if not properly managed. It's anticipated that there will need to be a relocation of hard measures and the introduction of some soft measures and warning signs in front of the proposed hard measures on event days.

5.112 The details of the security measures on South Shore Road and the implications on highway users raise concerns. Turning manoeuvres for large vehicles at either end of proposed closure points on South Shore Road appear problematic and details of vehicle tracking have not been provided to demonstrate otherwise. Discussions are ongoing and an update report to address this issue is anticipated.

5.113 Servicing

In response to continued discussions relating to the servicing associated with the proposed development, the TAA provided updated information on the arena, CoEx and hotel servicing by providing information on access arrangements as well as operation and management of the designated servicing areas. The access strategy also identified nearby road closures, as discussed above.

5.114 Arena

A separate servicing access point will be provided for the Arena. Arena servicing vehicles will ingress the site via Hawks Road/Mill Road junction, with the access onto Hawks Road being for egressing vehicles only.

5.115 The TAA states that the security providers personnel will manage a drop off system to ensure only the correct number of vehicles are permitted inside the yard as agreed and for only the time required. It is understood that the venue promoter representative will provide a Hostile Vehicle Mitigation (HVM) management plan to the production management and this information will be passed on to the lead truck driver.

5.116 The Arena / Concert HGV Vehicle Management plan includes vehicles arriving at designated times and the use of a traffic marshal/banksman to support the lead truck driver at point of entry, within the yard and exit enabling smooth vehicle movement minimising impact on the external environment. They will also operate a 2-door system having a one way in and one way out arrangement.

5.117 The TAA states that the revised access arrangement, including the ingress and egress system, provides for improved manoeuvring within the service area and ASM Global, as proposed operator of the site, have provided commentary that the proposals meet their operational requirements.

5.118 CoEx and Hotel

The TAA states that the Mill Road access will be for servicing of the CoEx and Hotel, with a separate access strategy to the Arena element of the development. The management plan states drivers will be allocated specific times to enter the site and once their load has been dropped off, they will be directed to a parking area in the nearby area.

5.119 Retail Units

Limited details have been provided in relation to the servicing of the retail units off South Shore Road, although it is accepted provision can be secured by condition as per the Arena and CoEx/Hotel above.

5.120 Overall, it is considered that a service management plan for each use will be required that clearly details how the service yards will operate and be managed to ensure there is no impact on the wider transport network together with a strategy outlining what measures can be put in place if problems do arise. This can be addressed by condition (conditions 41 and 42).

5.121 HGV Movement Management

Linked to the above, and following concerns raised by officers relating to the movement and housing of HGVs and tour coaches during events, where up to 40 vehicles may be in use, ASM Global have provided an outline HGV Movement Management Strategy. This document provides details of how different event scenarios would be managed. The principle behind this strategy is the use of an off-site storage area including but not limited to the Sage Gateshead coach park. It is understood the servicing elements of the development will be controlled by an operating manual which will be a requirement of the lease. From a planning point of view, this should also be reflected in the final servicing management plan.

5.122 Road Safety

An updated accident review has been undertaken and included within the TAA and officers are accepting of the findings. The proposed improvements contained within the application together with the additional measures to be secured by condition are expected to provide safe access to the site. This conclusion is subject to completing a 4-stage RSA process.

5.123 A stage 1 RSA has now been undertaken, and discussions are ongoing. An update on this issue is anticipated.

5.124 Construction Management

A final construction management plan will be required prior to commencement on site, outside the standard measures, details relating to contractor parking and restrictions to minimise disruption during peak periods should be included. This can form part of the proposed CEMP condition (conditions 3 and 4).

5.125 Travel Plan (TP)

An updated TP has been submitted, which requires further work to be deemed fully acceptable. This can be secured by condition (conditions 43 and 44).

5.126 In summary, on balance it is considered that the positive benefits the proposed development will bring, along with the improvements referenced above that will mitigate some of the anticipated impact, mean the development can be suitably managed to reasonably minimise highway safety concerns during typical day to day operation and thus does accord with the

NPPF and policy CS13 of the CSUCP. However, during major event some delays and localised congestion within the highway network is likely to occur. However, this would be for short periods of time and with the mitigation set out above can be managed in order to maintain highway safety.

#### 5.127 DESIGN

It is considered that the design teams have worked well together on this project and have given extensive consideration to the massing arrangement; building locations and site layout; public realm design; and architectural appearance / materiality of the buildings, and in general? this all works well together to form a high quality and distinctive design solution that respects its context and is suitable for such a prominent location, set amongst the regionally, nationally, and internationally recognised icons and landmarks of Gateshead and the wider Tyne Gorge.

5.128 The materiality and dynamic designs of the buildings, particularly their facades, bring excitement and a strong distinctive character to the built form, and this is carried through into the design of the public realm, the routes and spaces around them. The clever use of materials (as set out previously in 'Description of the Application) and the bold articulation of the elevations help to signpost entrances, reduce the scale and break up the mass of these huge buildings, helping them to interact at street level and on a human scale. The chosen materials are high quality and have a durability, character and appearance that echoes the site's industrial heritage, but in a contemporary way, bringing old and new together to create a positive relationship.

5.129 Much thought has also been given to user experience, where and how people arrive and how they would move around the site and access the buildings. With strong clear routes and an emphasis placed on entrance design, it should be relatively easy for visitors to navigate the site and find the entry points into the buildings they want to visit.

5.130 The scheme demonstrates intelligent design, attention to detail, and a level of quality and innovation that would serve Gateshead well..

5.131 That said, comments have been raised by objectors, about the proposed development not being considered by the North East Design Review Panel (NEDRP). This is a third-party service which gives design advice on development proposals across the North East of England, usually as part of the pre-application process. However, there is no statutory requirement for any development proposal to be presented to and considered by the NEDRP, particularly where the Local Planning Authority has its own in-house independent specialist urban design and planning professionals. Officers consider that appropriate consideration of the design of this proposal has been undertaken by The Council's in-house urban design team.

5.132 Concern has also been raised by objectors, about the scale and mass of the hotel and that they consider that its design does not work with the topography of the site, which results in a more prominent built form. It is acknowledged that the proposed hotel would be one of the taller buildings in the area and the

2003 Urban Landscape Study of the Tyne Gorge (Tyne Gorge Study) does set out some main principles, but it does not prohibit tall buildings and there are already examples of tall buildings within the Tyne Gorge i.e. the Sage Gateshead, which also does not follow the topography of the site and the Baltic Flats. It is also worth noting the approved 20 storey hotel/serviced apartments scheme (DC/19/00785/FUL) just to the rear of the Baltic Quay Flats that would be significantly taller than all the buildings proposed under this application.

- 5.133 Primarily, the aim of the Tyne Gorge Study is to ensure strategic views of key heritage assets are not compromised. The Heritage section of this report sets out that this development would not compromise these strategic views. Furthermore, the Tyne Gorge Study does not seek to preserve all current views and there is a section within the Tyne Gorge Study which advises on the development of tall buildings. The Council's Place Making Supplementary Planning Document also encourages tall buildings where appropriate. It is considered that, in this urban core location the character of the area is such that further tall buildings of an suitable design and scale are wholly appropriate.
- 5.134 It is also worth noting that the hotel is an integral part of scheme and without it the scheme would not be deliverable. This is due to the linked provision between the CoEx and hotel and ability to attract conferences to the site.
- 5.135 On balance, taking into account the high quality materiality proposed for the hotel, its proximity to other tall and bulky buildings and the other examples of tall buildings that do not necessarily follow the Tyne Gorge Study, it is considered that the positive aspects of the hotel's design outweigh the fact it is not in full accordance with the Tyne Gorge Study. Furthermore, whilst the Tyne Gorge Study is still helpful to inform consideration of a proposal, it is considered to be somewhat outdated in places and not as relevant as it may once have been due to changes in national and local policy and various developments that have been delivered in the Tyne Gorge since 2003.
- 5.136 To enhance the character and local distinctiveness of the development and in accordance with policy UC17 of the CSUCP, the development is expected to include some public art. This would be particularly important on the southern side of the site and its interface with Hawks Road, where any potential dead frontage can be mitigated by introducing feature lighting and public artworks.
- 5.137 A Public Art Strategy (PAS) document has been submitted with the application and officers agree with the approach and opportunities for art that this document advocates. It is therefore considered necessary to condition that further details are submitted for approval taking into account the PAS. Details of this can be secured by condition (conditions 46 and 47).
- 5.138 In summary, the principle of the design and materials proposed are considered to be acceptable and of high quality, which should result in a development that is sympathetic to its neighbours and thus in accordance with national and local policy. To help ensure that is the case it is considered

necessary to condition that details be approved prior to installation as well as feature lighting and public art. This can be addressed by conditions (conditions 45, and 48- 49) and subject to them, the proposal would accord with the National Planning Policy Framework as well as policies QB1, QB2, UC11, UC12, UC13, UC16, UC17 and CS15 of the CSUCP and saved policy ENV3 of the UDP.

#### 5.139 HERITAGE

It is considered that the principle of the comprehensive regeneration of the application site and the details that form part of this planning application would, for the most part, have a positive impact upon the setting of Bridges Conservation Area and would not harm the significance/setting of the Grade II listed Coal Drops, the locally listed Baltic Flour Mill, the Grade I listed St Marys Church or the Grade II\* listed Tyne Bridge.

5.140 This is because it is considered that the massing arrangement, building locations and site layout and architectural appearance / materiality of the buildings works well together to form a high quality and distinctive design solution that respects its context and is suitable for such a prominent location, set amongst these recognised landmarks. Furthermore, the application proposes development of a high quality destination that would see the comprehensive regeneration of a derelict industrial site and two surface car parks that do not contribute towards the setting or significance of these heritage assets at the moment.

5.141 With specific regard to the proposed dual branded hotel, it is acknowledged that its scale, mass and position within the development would make it a prominent element of the scheme. However, it's location at the eastern end of the site adjacent to other tall buildings in the form of the Baltic Flour Mill, the Baltic Quay Flats and the approved 20 storey hotel/serviced apartments scheme (DC/19/00785/FUL) at the corner of Hawks Road and Mill Road means it would not look out of place within its locality.

5.142 Furthermore, the proposed blue/green glazed terracotta effect profiled tile cladding for the taller, river facing, element of the hotel is considered to offer a distinct contrast to the colouring of the Baltic Flour Mill. Consideration has been given to using a colour similar to that of the Baltic Flour Mill, with details forming part of the submitted ES, but that was considered to look too similar and thus competing with the Baltic Flour Mill, resulting in its prominence, and hence significance, being diluted. The same is not true of the proposed blue/green colour, which results in a sharp contrast that would keep both buildings clearly distinct from one and other when viewed from the wider area. The blue/green glazed colour, along with the profiled design would also help the building to reflect the colours of the sky and the river and break up the mass of the elevations.

5.143 With regard to the Tyne Bridge, it is considered that the separation distance between it and the hotel; the flat green colour of the bridge compared to the glazed and profiled blue/green cladding of the hotel; and the negative impact

a different colour would have upon the Baltic Flour Mill are such that the significance of the Tyne Bridge would not be affected.

- 5.144 In terms of the Coal Drops, it is considered that regeneration of the adjacent site, the improved public realm and the increased footfall it would bring to the area would assist in enhancing the significance/setting of the Coal Drops and could be a catalyst for their reuse in the future. That said, given the close proximity of the Coal Drops to the proposed development, it is considered that the proposed CEMP should include provision to ensure the construction of the new development would not undermine the structural integrity of the Coal Drops.
- 5.145 The location of St Marys Church relative to the application site combined with the scale and position of the intervening building at Sage Gateshead mean the proposed development would not impact upon its setting or significance.
- 5.146 Overall, subject to conditions regarding final materials and inclusion within the CEMP details about construction in proximity to the Coal Drops, it is considered that the proposal would prevent undue impact upon sensitive environmental receptors and accord with the NPPF, policy CS15 of the CSUCP and saved policies ENV9 and ENV11 of the UDP.
- 5.147 RESIDENTIAL AMENITY  
Concern has been raised about the size and location of the proposed hotel relative to neighbouring residential properties contained within the Baltic Quay Flats and the impact it would have upon their residential amenity.
- 5.148 Overlooking/loss of privacy/visual intrusion  
In response to the potential issues of direct overlooking and direct loss of privacy, there are two windows on each floor of block 1 of Baltic Quay Flats that would look directly onto the proposed hotel development. From the approved plans for the Baltic Quay Flats development (application ref 580/00) it is understood these windows serve a bedroom and a secondary window to a living room respectively, with the living room in question having a principal window that faces north towards the river. The opposing windows on the proposed hotel would also serve bedrooms and therefore it is considered any overlooking would be mutual and is something to be reasonably expected in an urban core location where high density development sit together. The separation distance involved would be 14.5m at the closest point, which again is considered to be acceptable in an urban core river front location where higher density and thus lower separation distances can be expected. This is also true of the existing Baltic Quay Flats development itself, whereby the high density layout and variations in orientation between blocks allow for mutual overlooking and a reduced level of privacy than would be typically expected in a more suburban location.
- 5.149 All other windows would be at varying increased offsets and oblique angles to the proposed hotel due to the varied architectural layout of each block that makes up the Baltic Quay Flats, which would significantly reduce any potential overlooking or loss of privacy issues. It is also worth noting that the

separation distances involved between the flats and the proposed hotel increase significantly beyond block 1 of the flats.

- 5.150 With regard to the enclosed sky bar, it is considered that it would not create any direct overlooking of neighbouring properties or create any significant noise concerns from patrons due to the difference in height and the fact it is a fully enclosed space, which should mean that any views would be over the top of the adjacent flats and any noise generation would be minimal when considered against existing background noise and activity in the area.
- 5.151 In terms of visual intrusion, it is accepted that the proposed hotel would be a prominent building and would be in relatively close proximity to the Baltic Quay Flats. However, due to the varied orientation of the principal living room windows within the flats, those closest to the proposed hotel are orientated towards the north and east and those that are orientated towards the hotel enjoy significant separation distances. As a result, any potential visual intrusion is not considered to be significant.
- 5.152 With specific reference to block 1 of the Baltic Quay Flats and the south facing living room windows that are closest to the proposed hotel. It is considered that by locating the lower portion of the proposed hotel towards the south of the site and by maximising the projection of the hotel building in a northerly direction means that any potential visual intrusion upon the southern aspect of the flats is kept to a minimum.
- 5.153 Loss of Light – Daylight/Sunlight Assessment  
In respect of loss of light, the application is accompanied by a Daylight and Sunlight Assessment (DSA) and subsequently a Supplementary Daylight and Sunlight Assessment (SDSA), both prepared by the applicant's consultant GIA Chartered Surveyors.
- 5.154 This includes a technical analysis which has been undertaken in accordance with the Building Research Establishment (BRE) Guidelines 'Site Layout Planning for Daylight and Sunlight 2011: A Guide to Good Practice' (2011) criteria.
- 5.155 To assess the surrounding existing properties, the BRE Guidelines provide two main methods for assessing daylight: Vertical Sky Component (VSC) and No Sky Line (NSL). The VSC method measures the amount of light available on a vertical wall or window following the introduction of barriers such as buildings. The NSL method is a measure of the distribution of daylight at the 'working plane' within a room (i.e. a horizontal 'desktop' plane of 0.85m in height). The NSL divides those areas of working plane in a room which receive direct sky light through the windows from those areas of the working plane which cannot. Where all of the windows meet the VSC and all of the rooms meet the NSL criteria within a property the effect is considered to be negligible.
- 5.156 For the assessment of sunlight, the approach considers the Annual Probable Sunlight Hours (APSH) for a reference point on a window (i.e. if a window

point can receive at least 25%APSH, then the room should still receive enough sunlight). Windows are checked to see if they are facing within 90° of due south, with the emphasis on main living rooms and other rooms such as the kitchens and bedrooms being less important.

- 5.157 Baltic Quay Flats was identified as having the potential to be impacted on by the proposed development. Applying the assessment criteria, a total of 188 windows serving 107 rooms within the development have been assessed for daylight and 83 windows have been assessed for sunlight.
- 5.158 In the Baseline Scenario (without any development), out of the 188 windows assessed for daylight, only 117 (62%) meet the BRE guidelines for VSC. Just 93 (87%) of the 107 rooms assessed meet the BRE criteria for NSL daylight. For sunlight, 71 (86%) out of the 83 windows assessed meet the BRE criteria for both Winter and Annual APSH. This shows that the Baltic Quay Flats already have a degree of limitation of light.
- 5.159 In the Proposed Scenario (with the development), with regard to daylight, out of the 188 windows assessed for daylight, 81 (43%) meet the BRE guidelines for VSC. As such 36 windows would be affected to the extent that they would no longer meet the BRE guidelines for VSC. 72 (67%) of the 107 rooms assessed meet the BRE criteria for NSL impacting on 21 rooms. The effects identified are moderate adverse in nature and are therefore considered to be not significant in the context of EIA development.
- 5.160 For sunlight, 70 (84%) of the 83 windows assessed meet the BRE criteria for both Winter and Annual APSH a reduction of just 1 window. The effects identified are moderate adverse in nature and are therefore considered to be not significant in the context of EIA development.
- 5.161 The assessment therefore concludes that the proposed hotel would have an impact upon the level of daylight and sunlight reaching the flats, however, not to such an extent to warrant refusal of the planning application as they are secondary windows for living accommodation or serve less critical bedroom accommodation.
- 5.162 It is also worth noting the BRE guidance states that it is 'not mandatory and the guide should not be seen as an instrument of planning policy'. It goes on to say that 'in an area with modern high rise buildings, a higher degree of obstruction maybe unavoidable if new developments are to match the height and proportions of existing buildings.' This is also reflected in the NPPF and NPPG that also states that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."
- 5.163 In this case the application site and the Baltic Quay Flats is in an urban core river front location where higher density, lower separation distances and thus greater constraints on daylight and sunlight would be expected. It is also worth noting that the application site is allocated for large scale development

and therefore whilst some flats have not had large scale development alongside them, this was never the long term intention.

- 5.164 To confirm the methodology undertaken by the applicant in producing their submitted Sunlight and Daylight Assessment, the Council appointed Hollis Global to undertake an independent review of the DSA completed by GIA. Hollis performed a critical assessment of the methodology used by GIA in completing their assessment and have confirmed that the ES chapter and accompanying assessment is 'appropriately structured and follows best practice'.
- 5.165 Hollis did however raise three questions; regarding consideration of whether Gateshead College is a sensitive receptor; whether external amenity spaces to the north of Baltic Quay Flats had been considered; and whether the kitchen and bedroom windows on the southerly aspect of Baltic Quay Flats should be considered.
- 5.166 In response, whilst Gateshead College is an educational facility, when the BRE guidelines are applied to non-residential uses, which is infrequent, they are typically intended for sensitive uses such as primary schools where younger pupils are more likely to value daylight. Direct sunlight is also generally not welcome in classrooms, as it causes distractions, particularly with computer screens. The inclusion of an analysis of the college was carefully considered at scoping stage and scoped out on the basis it is a further education institution, rather than a primary school. As such, it is not considered to be a sensitive receptor and does not require assessment.
- 5.167 The external amenity space areas identified in the Hollis report comprise small areas of soft landscaping with no seating provided. The planning application for the development (580/00) showed car parking, access and hard & soft landscaping, rather than outdoor amenity areas. It is therefore considered that these areas are not specifically defined as amenity for the residents of Baltic Quay. Furthermore, the areas in question are located directly to the north of the flats and will therefore be shadowed by the flats throughout the day. The only point at which the hotel will separately shadow these areas is at the very end of the day when the sun reaches its most westerly point in the sky, meaning any impact of the proposal will be limited and not significant.
- 5.168 The BRE states that "to assess loss of sunlight to an existing building, it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun" (BRE 2011).
- 5.169 The BRE therefore place greater emphasis on the requirement for sunlight to living rooms as they are principal habitable rooms, whilst kitchens and bedrooms are secondary, and are considered to have a lesser requirement for sunlight. As the requirement is for living rooms to be checked, the analysis only extends to living rooms. Notwithstanding this, given the orientation and

location of the kitchens and bedrooms within Baltic Quay Flats, and the minor impact to living rooms in similar locations, were the kitchens and bedrooms to be assessed, a similarly minor impact is anticipated.

5.170 In addition, the applicant's consultant GIA have undertaken further scenario testing. The SDSA explores two alternative scenarios to ascertain whether it would assist in improving the daylight and sunlight levels that Baltic Quay Flats would receive. The alternative scenarios include:

- Moving the entire hotel building 25m southwards.
- Hotel in its existing position with top floor removed from the scheme.

5.171 The SDSA demonstrates that moving the hotel 25m to the south would result in the hotel having a significantly greater impact on the principal habitable rooms and windows of Baltic Quay Flats and significantly increase the impact upon southerly aspect kitchen and bedroom windows, as referenced above. Therefore, leaving the hotel in its current location has a lesser impact in terms of loss light.

5.172 Keeping the hotel in its existing position and removing the top floor made no meaningful improvement in the daylight and sunlight results. It is not considered beneficial therefore to require its removal from the scheme.

5.173 In summary, for the reasons set out above, it is considered that location and design of hotel proposed along with the site allocation mean the impact upon the neighbouring properties would not be unacceptable.

#### 5.174 Noise and Vibration

A comprehensive noise assessment has been undertaken that looks at the potential construction and operational noise and vibration issues. Officers are satisfied with the conclusions reached within the submitted ES and the identified mitigation. To ensure that is the case the proposed CEMP shall include details to minimise intrusion during the construction phase (see conditions 3 and 4). Furthermore, final details of all plant and equipment should be approved to ensure no significant noise implications, which can be addressed by condition (conditions 52 and 53).

5.175 It is also worth noting that the proposed sky bar is a fully enclosed space and likewise the arena service yard. Therefore, external noise issues associated with those elements should not be an issue. With regard to CoEx/hotel service yard, it is considered that final details of servicing should be agreed and this can be secured by condition (conditions 65 and 66).

5.176 With regard to patrons leaving the venue, it has been assumed that 50% of patrons will be speaking with a raised voice during this period. The results show that there will be a period of 20 minutes where there will be increased levels of sound at the nearest residential receptors during patron egress. Due to the short duration, the impact is not considered significant and patrons will be encouraged to keep quiet through use of signage. The worst-case scenario

with events finishing at the Arena and CoEx simultaneously would be likely to take place less than 1% of the time during an event year.

5.177 It is considered that noise and vibration impact would not have any significant impact upon the activities of other nearby occupiers, such as the Sage Gateshead, the Baltic Centre for Contemporary Art and HMS Calliope due to the design of the proposed scheme that will minimise noise emissions when operational and the mitigation proposed during construction (quiet piling methods, noise and dust suppression etc.).

5.178 With regard to possible anti-social behaviour that could occur associated with the development once operational, consideration has been given to the proposed design, layout and operation of the proposal to try and design out such issues wherever possible, including signage to encourage patrons to be respectful. Furthermore, there are separate legislative powers out with the planning process to deal with anti-social behaviour should it arise.

5.179 Other matters

Concern has been raised about loss of private views from residential properties and also loss of property value. Neither issue is considered to be material in the consideration of a planning application and therefore cannot be given any weight when reaching a recommendation.

5.180 Overall, taking all the material issues into account, it is accepted that the proposed development would have an impact upon residential amenity. However, for the reasons set out above and contained with the submitted application and ES, on balance that is not sufficient to warrant refusal of this planning application.

5.181 Therefore, it is considered that whilst the development is not fully in accordance with the NPPF, policy CS14 of the CSUCP and saved policies DC2 and ENV61 of the UDP, on balance taking into account all the material planning considerations, the benefits outweigh the negative impacts and as such the development is considered to be acceptable.

5.182 WIND MODELLING

To predict the local wind environment associated with the completed proposed development, and the resulting pedestrian comfort within and in the area surrounding the site, wind tunnel testing of the proposed development has been undertaken. The modelling identified that without any mitigation the new public realm proposed to the west of the arena would suffer higher wind speeds than considered acceptable for sitting and standing and would be less appealing to visitors as a result. To address the issue, the proposed landscaping to this area has been designed to counteract the potential impacts from the wind and an architectural feature has been added to the western elevation of the arena building. Further testing has shown that the proposed mitigation would significantly reduce the wind speed and thus make the new public realm, Hawks Road and Maidens Walk an acceptable place to sit and stand. This can be secured by condition (condition 54).

#### 5.183 LANDSCAPING

The application includes a very detailed and high quality proposed hard and soft landscaping scheme that would provide visual amenity benefits, enhance the experience of visitors to the new development, as well as those using the public realm to access other attractions on the Quayside. The landscaping scheme also incorporates features to assist with biodiversity, SuDS and wind mitigation provision.

5.184 Notwithstanding the above, given the complexity of the development, it is considered necessary to condition that the final details of the landscaping scheme are approved and a maintenance regime approved to ensure that a high quality scheme is delivered and undue impact upon sensitive environmental receptors occurs. (conditions 55, 56 and 57)

5.185 Following consultation with Northumbria Police and the Counter Terrorism Unit, a site wide security strategy has been developed. Part of the strategy includes a range of hard and soft measures to be installed across the development that would include a series of landscape elements. It is considered that the final details of these security measures should be conditioned to ensure the development comes forward in line with the agreed security strategy as part of the landscaping conditions.

5.186 Subject to the conditions, the proposal would accord with the National Planning Policy Framework as well as policies QB1, QB2, UC11, UC12, UC13, UC15, UC16, UC17 and CS15 of the CSUCP and policy ENV3 of the UDP.

#### 5.187 ECOLOGY

The application site is dominated by areas of hardstanding. However, the vegetated areas that are present are considered to support a mosaic of habitats incorporating Open Mosaic Habitat on Previously Development Land, amenity grassland and scattered semi-mature ornamental trees.

5.188 Habitats/features within and adjoining the proposed development site, including: semi-natural broadleaved woodland; semi-improved neutral grassland; ephemeral/short perennial vegetation incorporating areas of bare ground; tall ruderal vegetation; the Coal Drops and railway arches located along Maidens Walk, and; the River Tyne including a small area of intertidal mud located immediately adjacent a proposed new surface water outfall to the River Tyne located between the Gateshead Millennium Bridge and Baltic Centre for Contemporary Art have the potential to support a range of statutorily protected and/or priority/notable species. These include priority butterfly species, small numbers of widespread and commonly occurring roosting, foraging and commuting bats, nesting, foraging and roosting birds, migratory fish, otter and hedgehog. The River Tyne also hosts a significant and arguably unique population of inland breeding kittiwakes (Birds of Conservation Concern Red List and DBAP priority species), with notable colonies established in close proximity to the proposed development site on the Tyne Bridge and Baltic Centre for Contemporary Arts.

5.189 The proposed development would result in the comprehensive loss of existing habitats on site and their associated interest. However, subject to suitable mitigation, it is considered that the predicted impacts would not be significant, and the development can be achieved within acceptable ecological limits and in accordance with national and local planning policy.

5.190 The submitted ES includes a series of on-site and off-site proposals to minimise the ecological impacts.

5.191 The on-site proposals include the following:

- Site clearance and construction works to be undertaken in accordance with a Construction Environment Management Plan controlling the timing and method of site clearance and construction activities and emissions from the site including dust and sediments
- Containment, removal and disposal off site of Japanese Knotweed in accordance with an Invasive Non-Native Species (INNS) management plan
- Design and installation of scour protection measures associated with proposed new surface water outfall to avoid/minimise the mobilisation of inter-tidal mud leading to sedimentation of the River Tyne
- Suspension of sediments and potentially contaminated liquids prior to discharge of surface water into the River Tyne
- External lighting to be designed, located and operated so as to avoid/minimise intrusive light-spill impacting retained and/or newly created habitats/features including River Tyne Local Wildlife Site during the construction and operational phases of the development
- Creation of new/replacement habitats including 2 green roofs measuring approximately 1,495 sqm and planting of 74 trees including ornamental and native species as part of the landscaping proposals.

5.192 Notwithstanding the above, the nature of the proposed development would result in a reduction in on-site biodiversity, hence the need to also consider off-site mitigation. The Government's emerging Environment Bill is proposing to set a requirement for all new developments to achieve a 10% biodiversity net gain and includes Defra's Biodiversity Metric 2.0 calculator tool to inform off-site requirements although as a draft Bill and therefore not an act of Parliament yet in force it cannot be enforced. Through detailed discussions between the applicant and officers, 4 sites have been identified for ecological enhancement, which would achieve a biodiversity net gain of 7.5%. The 4 sites are land at Windy Nook, Wardley Quarry, Kingfisher Court and Dunston Staiths Inlet. Whilst this falls slightly below the emerging target of 10%, it is not adopted policy at this time and so is not a statutory instrument but rather a guide to help inform discussions.

5.193 Overall, officers consider that the application has made reasonable efforts to incorporate ecological mitigation into the development, including a range of on and off-site measures that would result in a net gain in biodiversity of 7.5%.

- 5.194 To help ensure that is the case, it is considered necessary for final details to be approved by condition to ensure that undue impact upon sensitive environmental receptors is prevented.
- 5.195 Subject to those conditions, the proposed development would not conflict with the aims and objectives of the NPPF, policies CS18 of the CSUCP and saved policies DC1(d), ENV46 and ENV51 of the UDP (conditions 58-60).
- 5.196 **EMPLOYMENT OPPORTUNITIES**  
A major priority for the Council is the creation of employment and training opportunities, especially apprenticeships for local people and as such the Council seeks to bring forward opportunities in construction and also the operation of the development.
- 5.197 The apprenticeships could be through the Council's supply chain, contractors, delivery partners or ancillary activities across the length of the build and the long-term operation of the development upon completion. Any such opportunities would be made available to target groups within the Borough and beyond.
- 5.198 In line with the Council's Planning Obligation SPD (Targeted Recruitment and Training) December 2016, apprenticeships can be secured through planning conditions (conditions 61 - 64).
- 5.199 **COMMUNITY INFRASTRUCTURE LEVY**  
Gateshead Council is a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development, as it includes hotel and retail elements. However, in respect of the hotels, the application site is located within a Charging Zone with a levy of £0 per square metre for this type of development. In terms of the proposed retail units, the application site is located within a Charging Zone with a levy of £10 per square metre for supermarkets (A1) greater than 280 square metres (net). The total retail floorspace proposed as part of this application is 973 square metres. The end users for the retail units are not yet known but a supermarket is not expected to form part of the retail offer. In this context there is no CIL chargeable for the proposed development.

## **6.0 CONCLUSION**

- 6.1 The Environmental Information contained with the Environmental Statement submitted with the application has been examined and the significant effects of the proposed development on the environment taken into consideration by the Council in coming to its decision.
- 6.2 The Council is satisfied that the reasoned conclusion to grant planning permission subject to conditions is up to date and addressed the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development.

- 6.3 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, overall the development accords with the relevant development policies and should therefore be granted unless material considerations indicate otherwise. Here the material considerations also indicate that permission should be granted and so it is recommended that permission is granted subject to appropriate conditions.
- 6.4 Therefore taking into account all the relevant material planning considerations, including the environmental information contained with the Environmental Statement and the comments made by consultees and third parties, it is considered that the proposal is acceptable and accords with the aims and objectives of Regulation 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and both national and local planning policies.
- 6.5 It is therefore recommended that planning permission be granted subject to the recommended planning conditions.

**7.0 Recommendation:**

That permission be GRANTED, subject to referral to the Planning Casework Unit and subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

Condition 1 – In accordance with plans.

Condition 2 – 3 years to commence work.

Condition 3 - Construction Environment Management Plan

Condition 4 – Implement construction Environment Management Plan

Condition 5 – Programme of archaeological fieldwork

Condition 6 – Implement programme of archaeological fieldwork

Condition 7 – Final report of the results of the archaeological fieldwork

Condition 8 – Intrusive land contamination assessment

Condition 9 – Implement intrusive land contamination assessment

Condition 10 – Contamination not previously identified

Condition 11 – Further intrusive site investigations

Condition 12 – Further detailed remediation scheme

Condition 13 – Implement further detailed remediation scheme

Condition 14 – Drainage construction method statement

Condition 15 – Implement drainage construction method statement

Condition 16 – SuDS and drainage maintenance plan

Condition 17 – Implement SuDS and drainage maintenance plan

Condition 18 – Details of traffic management measures

Condition 19 – Implement traffic management measures

Condition 20 – Coach Parking strategy

Condition 21 – Implement Coach Parking Strategy.

Condition 22 – Taxi infrastructure provision

Condition 23 – Implement taxi infrastructure provision

Condition 24 – Preferred taxi supplier arrangement

Condition 25– Implement preferred taxi supplier arrangement

Condition 26 – Pedestrian improvement measures

Condition 27 – Implement pedestrian improvement measures

Condition 28 – internal lifts maintained 24 hours

Condition 29 – the external handrails

Condition 30 – Implement the external handrails

Condition 31 – Strategy to manage access to Maidens Walk

Condition 32 – Implement strategy to manage access to Maidens Walk

Condition 33 – Cycle Channels to steps

Condition 34 – Implement Cycle Channels to steps

Condition 35 – Cycle Parking and facilities

Condition 36 – Implement Cycle Parking and facilities

Condition 37 – Public transport strategy

Condition 38 – Implement public transport strategy

Condition 39– Improvements to bus stops

Condition 40 – Implement improvements to bus stops

Condition 41 – Servicing management plan

Condition 42 – Implement service management plan

Condition 43 – Travel Plan

Condition 44 – Implement Travel Plan

Condition 45 –Materials hotel

Condition 46 – Public Art

Condition 47– Implement Public Art

Condition 48 –Materials

Condition 49 – Implement Materials

Condition 50 – External lighting strategy,

Condition 51– Implement external lighting strategy,

Condition 52 – Details of external plant, machinery or equipment

Condition 53 – Implement details of external plant, machinery or equipment

Condition 54 – Implement wind mitigation details

Condition 55 – Landscaping

Condition 56– Implement Landscaping

Condition 57 –Maintain Landscaping for 5 years.

Condition 58 – Scheme to secure the off-site biodiversity net gains

Condition 59 – Implement scheme to secure the off-site biodiversity net gains

Condition 60– No vegetation clearance works shall be undertaken during the bird breeding season

Condition 61 – Employment and Training Plan – construction

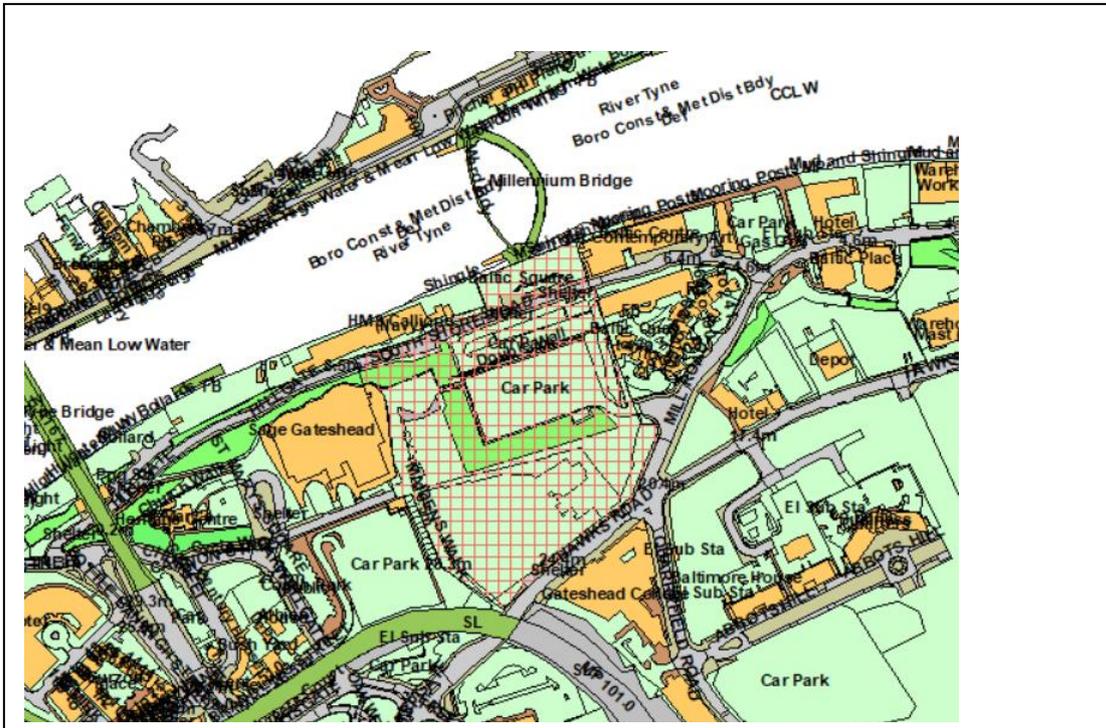
Condition 62 – Implement employment and Training Plan

Condition 63 – Employment and Training Plan – operation

Condition 64 – Implement employment and Training Plan – operation

Condition 65 – Details of COEX/Hotel servicing plan

Condition 66 – Implementation of COEX/Hotel servicing plan



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