

Committee Report

Application No:	DC/20/01061/FUL
Applicant	Richard Swann
Date Application Valid	18 November 2020
Site:	Dunston Hill Hospital Whickham Highway Whickham NE11 9DL
Ward:	Dunston Hill And Whickham East
Proposal:	The demolition of the walled garden and former Woodside Centre Day Care, and proposed development of 11 residential dwellings (C3), with associated new walled garden, parking and landscaping
Recommendation:	GRANT SUBJECT TO A SECTION 106 AGREEMENT
Application Type	Full Application

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

The application site is located on land to the north of Whickham Highway which includes the former Dunston Hill Hospital and associated buildings.

1.2 The site consists largely of a rectangular walled garden structure, within which stands the former Woodside Centre. The building remained in use until 2019 until its function was replaced at Bensham Hospital.

1.3 The walled garden itself is largely masonry in its built form, varying in height from between 0.3 metres at the western wall to 4 metres for the northern wall. When viewed from the north the outer skin of the northern wall is stonework and the former day centre is built into the walled garden.

1.4 The day centre had a landscape feature at its entrance which is now overgrown and unkempt, and there are some shrubs remaining within the walled garden, as well as parking spaces which served the building. To the north of the wider Dunston Hill Hospital site, is a grass field of semi-improved grassland which forms part of the application site.

1.5 Access is existing, provided off the Whickham Highway from the south, via Mansion Heights. There are no Listed Buildings within the application boundary itself, however the Site does fall within the Whickham Conservation Area, and the walled garden is locally listed. The Mansion Heights residential estate to the east contains Grade II* Listed Dunston Hill Hospital, and Grade II Listed Dunston Hill Hospital Outpatients Department and Stables North of Dunston Hill Hospital.

1.6 Further, the entirety of the application site is located within the Green Belt and the site falls outwith the housing allocation which is directly to the north of the site.

1.7 DESCRIPTION OF APPLICATION

The application seeks full planning approval for the demolition of the walled garden and day centre, the erection of 11 dwellinghouses and the partial rebuilding of the walled garden on its existing footprint.

1.8 The application proposes amendment to the access point into the walled garden, however access will still be taken from the east via Mansion Heights. The application proposes that two different housetypes be used within the development, these housetypes are three and four bed properties respectively. It is proposed for the dwellings to be finished in brick and render and the layout provides for areas of landscaping/planting.

1.9 It is the view of officers that the application ought to be considered in the context of the reserved matters application (DC/19/01048/REM) as the site would be brought forward as a single development and as this 'walled garden' application includes an ecological mitigation area, affordable housing and other elements which are relevant to the reserved matters application.

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

- Phase II Contaminated Land Risk Assessment & Remediation Strategy;
- Heritage Impact Assessment;
- Flood Risk Assessment & Drainage Strategy;
- Design & Access Statement;
- Planning Statement;
- Arboricultural Impact Assessment, Tree Protection Plan & Method Statement;
- Interim Travel Plan;

1.11 RELEVANT PLANNING HISTORY

The relevant planning history associated with the application site is summarised as follows:

- DC/13/00195/OUT; Outline application for demolition of the existing Dunston Hill Hospital and redevelopment of 35 dwellings (use class C3) with associated access, parking and landscaping (amended 29/04/13 and 14/06/13 and additional info received 30/04/13 and 20/06/13) - Approved 04 November 2016.
- DC/13/00196/CON; Conservation Area Consent: Demolition of former hospital buildings at Dunston Hill Hospital (additional info received 23/03/13) - Withdrawn 04 November 2016.
- DC/17/00009/OHL; Diversion of existing overhead line - No Observations 20 March 2017.

CS19 Green Belt

MSGP9 Housing Sites Allocation

MSGP10 Accessible and Adaptable Dwellings

MSGP11 Housing for Specific Groups

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP25 Conservation/Enhancement Heritage Assets

MSGP27 Archaeology

MSGP32 Maintain/Protect/Enhance Green Infrast.

MSGP33 Countryside/Landscape Protection

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP39 Protecting Open Space/Sport/Recreation

MSGP40 Provide/Enhance Open Space/Sport/Rec

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment:

5.1 The key considerations to be taken into account when assessing this application are the impact the proposal will have on the Green Belt, landscape, heritage assets, visual amenity, residential amenity, highways, trees, ecology, ground conditions, flood risk/drainage, open space/play provision and CIL.

5.2 GREEN BELT/LANDSCAPE

In terms of the control of new development in the Green Belt, the relevant national policy is contained in paragraphs 143 to 147 of the NPPF and states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt (inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances).

- 5.3 Paragraph 146 g) sets out the following exception;
"limited infilling or the partial or complete re-development of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would - not have a greater impact on the openness of the Green Belt than the existing development"
- 5.4 Paragraph 134 of the NPPF gives five purposes of the Green Belt. These are; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Policy CS19 of the Core Strategy is in broad compliance with paragraph 134 of the NPPF and also sets out purposes for including land in the Green Belt in Gateshead.
- 5.5 Based on its previous use, it is clear that the whole of the walled garden constitutes previously developed land, with the former day centre and associated parking taking up the entirety of the land inside the walls. Further, the land to the north is part of the wider site's ecological mitigation, no new development is proposed in this location.
- 5.6 In order to assess the impact of the proposal on the openness of the Green Belt, officers consider it important to consider the site and both its immediate and wider context. The walled garden sits comfortably at the heart of the grounds of the former Dunston Hill Hospital. The walled garden is not elevated above the remainder of the site, nor is it a highly visible location. The redevelopment of the hospital for 35 units was approved in November 2016, where the impact of the scheme on the Green Belt was considered and assessed. It was concluded that the development would not detract from the openness of the Green Belt and therefore was considered to be acceptable.
- 5.7 Therefore, the land that surrounds the walled garden has planning permission for residential development and a Reserved Matters application has been submitted and is pending determination (DC/19/01048/REM). It is the intention of the developer to redevelop the wider site in its entirety. If the developer elected to only 'build out' the Reserved Matters scheme, this development would wrap around the walled garden further shielding the site from view.
- 5.8 To further measure the impact development would have in a wider context, a Landscape Visual Assessment was produced. It concluded that considering the context within which the development would be set, combined with the surrounding existing vegetation, 'walled enclosure' and other built development offering screening and containment of the site and limited receptors in the local area, the site offers the potential to accommodate a housing development, which would bring about only limited degree of landscape and visual effects. Officers agree with these conclusions.
- 5.9 Further, the proposed development would not impact or impose any additional harm on the openness of the Green Belt than the existing building as the

development would be contained within the 'walled enclosure' therefore not extending its footprint any further in the Green Belt. Whilst the walled garden is proposed to slightly reduce in height, when it is rebuilt, this still has to be factored in against the wider redevelopment of the site, and the dwellings sitting alongside the adjoining 35 unit scheme.

5.10 Based on the above assessment, it is considered that the proposal would constitute appropriate development in the Green Belt, would not harm the openness of the Green Belt and is considered to comply fully with the requirements of the NPPF and Policies CS19 and MSGP33 of the Local Plan for Gateshead.

5.11 PRINCIPLE

5.12 Windfall Housing

The site, in question, is not allocated for any specific use, and therefore the development of the site for residential purposes would form a windfall site.

5.13 In order to promote the development of a good mix of sites, paragraph 68(c) of the NPPF advises that local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

5.14 Family Homes

Core Strategy and Urban Core Plan (CSUCP) policy CS11(1) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms). The proposed layout comprises entirely of family homes, with a mix of three and four bedroomed properties. Therefore, the application complies with policy CS11(1).

5.15 Residential space standards

Policy CS11(4) requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". Further, Policy MSGP12 requires all new homes to be built in accordance with Nationally Described Space Standards (NDSS), however that supporting text is clear that;

"These standards will be introduced one year after the adoption of the Plan to allow for a period of transition in accordance with national planning guidance."

5.16 It is considered that all proposed dwellinghouses provide a generous gross internal area (GIA) in excess of NDSS standards, and it is on this basis that all properties adequate space both internally and externally in accordance with Policies CS11(4) and MSGP12 of the Local Plan for Gateshead.

5.17 Housing Mix/Affordable Housing

Policies MSGP10 and CS11 are not triggered in relation to M4(2) compliance or affordable house, owing to the scale of the development. However, the scheme does provide both, these ensure the policy compliance of the wider

development site. Further, the affordable housing element will be secured via a S106 agreement and the M4(2) compliance will be secured via the 'approved plans' condition (Condition 1).

5.18 VISUAL AMENITY

Policy CS15 of the CSUCP requires that development should contribute to good place-making through the delivery of high quality and sustainable design by responding positively to local distinctiveness and character. Further, Policy MSGP24 of MSGP requires that all new development ought to be considered against the following criteria; the development compatibility with the surrounding area, layout and access, spacing and public realm, detailing and materials and landscaping.

5.19 It is considered the proposed application has sought to deliver a development that is slightly different in character, density and scale to the wider development site. It is considered that the proposed layout works well, especially given the constrained nature of the application site i.e. as a very tightly defined development envelope. Overall, it is considered that the proposal would provide an appropriate design solution, commensurate with the wider development site, as well as existing residential development. However, final details of materials will need to be provided via planning condition (Conditions 3 and 4).

5.20 Subject to the above condition it is considered that the development is acceptable in regard to its visual impact and is considered to comply with the aims and requirements of the NPPF, Policy CS15 and MSGP24 of the Local Plan for Gateshead and the Gateshead Placemaking SPD.

5.21 HERITAGE ASSETS

The proposed development falls within Whickham Conservation Area and in close proximity to three listed buildings to the east. There are no listed buildings within the site, but the walled garden is locally listed. As such a Heritage Statement has been submitted in support of the application.

5.22 The submitted report assesses the proposed development's impact on the conservation area and concludes it would have overall benefit due to the removal of unsightly hospital buildings, in particular the breaking up of the overbearing mass of the roof of the modern hospital building within the former walled garden to be replaced with the smaller roofs of individual houses is considered to be a benefit. Officers agree with this conclusion.

5.23 Further, the proposed development is not considered to impact on the Listed Buildings to the east as the modern Mansion Heights residential development now takes on the setting of the Listed Buildings and the proposed developments impact on the setting is considered to be neutral. As the former day centre is visible from the western edge of Mansion Heights, its replacement with well-designed housing will be beneficial to the appearance of this part of the conservation area.

5.24 The walled garden is considered to have local heritage value, as indicated by its local listing. A Structural Survey was instructed to assess its structural

integrity. The Structural Survey found that the southern wall was unstable and in danger of collapse; this conclusion is considered to be sound by officers. As a result of the structural survey, it is intended for the walls to be removed and to rebuild them on the same footprint, reusing materials wherever possible. As part of the fabric will be lost as a result of the proposed works, it is considered that the development would result in a less than substantial harm to the significance of the walled garden as a heritage asset.

- 5.25 As such, the public benefits of the scheme need to be measured against this harm. In this instance, the public benefits are considered to be the provision of housing the 100% provision of M4(2) compliant housing, as well as affordable homes being provided on site. The positive impact the development would have on the conservation area is also to be taken into consideration. It is considered these public benefits clearly outweigh the less than substantial harm to the walled garden.
- 5.26 Further to the above, it is considered necessary to attach a number of conditions to the planning application;
- Building recording; the archaeological desk-based assessment recommends that the garden walls, are subject to a programme of archaeological recording (Conditions 7 and 8); and
 - Details of the replacement wall; it is considered the final details of the replacement walls of the walled garden, which will need to include scaled drawings and full details of materials is required (Conditions 5 and 6).
- 5.27 On this basis, it is considered that the proposed development would have a positive impact on Whickham Conservation Area, a neutral impact on adjacent listed buildings and it has been demonstrated that the public benefits of the scheme outweigh the less and substantial harm to the walled garden. It is considered that the proposal complies with the requirements of the NPPF, Policies CS15 and MSGP25 of the Local Plan for Gateshead.
- 5.28 RESIDENTIAL AMENITY
Given the separation distances afforded between the existing adjacent houses and the proposed development it is considered that the development would not cause any significant harm to the living conditions of adjacent residents through loss of light, overshadowing or visual intrusion.
- 5.29 Further, it is considered that the internal separation distances within the site (including when considering application DC/19/01048/REM) strike an appropriate balance between ensuring an acceptable level of residential amenity and encouraging an appropriate design solution. The design for the rebuilt garden walls will also take account of the position and orientation of properties to ensure that, they would not in themselves have any harmful impact on residential amenity (conditions 5 and 6). On this basis, the internal layout is considered to be acceptable and would not cause any unacceptable harm to the living conditions of future occupiers.
- 5.30 It is acknowledged that the construction of the development would have a potential impact on nearby properties in terms of noise, disturbance and dust.

Whilst these impacts cannot be fully avoided, it is considered that through the imposition of a planning condition for the submission of a Demolition and Construction Management Plan through which measures can be imposed to minimise the impact of the development on residential amenity (Conditions 9 and 10).

5.31 Officers are therefore of the opinion that subject to the condition set out above, the proposed development would not harm the living conditions of adjacent residential properties and the living conditions of the future occupiers of the proposed houses. It is therefore considered that the development is acceptable from a residential amenity point of view and accords with the aims and objectives of the NPPF, Policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.32 HIGHWAYS

It is considered that the proposed development provides an acceptable highway layout, it is acknowledged that the constrained nature of the site has made developing the site difficult. However, the proposal provides for an appropriate level of parking and would allow for the turning of large vehicles i.e. refuse collection vehicles.

5.33 There are, however, some elements which need to be finalised through the imposition of planning conditions:

- Final details of traffic calming (Conditions 11 and 12);
- Final details of cycle parking provision (Conditions 13 and 14);
- A final Travel Plan (Conditions 15 and 16).
- A revised visibility splay for the walled garden (26 and 27);
- The submission of an amended hard landscaping/surface treatment plan (28 and 29);

5.34 Subject to the conditions set out above, the proposal would comply with the aims and requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

5.35 ECOLOGY

An Ecological Impact Assessment, Bat Survey and Breeding Birds Survey have all been produced to support the site wide development.

5.36 The former day centre was considered to be of moderate bat roosting suitability, with the garden walls themselves being of moderate/low suitability. Site wide mitigation has been proposed, and this includes bat boxes and crevice roost creation, however, none are proposed on any dwellings within the walled garden.

5.37 The application includes land located to the north of the wider development site, this is proposed to be an ecological mitigation area. This land fell outside of the outline application's red line boundary, it has been included within this application so as to secure the site-wide mitigation and allow for a comprehensive mitigation strategy. The retained semi-improved neutral

grasslands within the ecological mitigation area will be enhanced through an appropriate management regime and through the plug planting of a diverse species mix.

5.38 In addition to the above, it is considered that further conditions requiring the submission of a landscape and ecological management plan ought to be attached to the application (Conditions 17 and 18).

5.39 On the basis of the above, the proposal is considered to comply with the aims and requirements of the NPPF and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

5.40 GROUND CONDITIONS

The site has been assessed as being potentially contaminated. A suite of information pertaining to land contamination has been submitted in support of the application, based on this information it is considered necessary to require an amended Phase II site investigation be submitted following demolition of the building on site. It is recommended that conditions be imposed requiring details of further site investigations and remediation measures where required, to be submitted to the LPA for consideration, and implementation of the approved remediation (Conditions 19 to 24).

5.41 Subject to the conditions attached to the outline approval, the development is considered to comply with the requirements of Policies CS4 and MSGP20 of the Local Plan for Gateshead.

5.42 FLOOD RISK/DRAINAGE

A flood risk and drainage assessment has been submitted with the application. In accordance with Policy CS17 of the CSUCP and Policy MSGP40 of MSGP, the assessment has covered all sources of flooding and has had regard to the Council's Strategic Flood Risk Assessment (SFRA).

5.43 Flood Risk

The flood risk assessment has assessed risk from all sources of flooding (fluvial/tidal, groundwater, sewer, overland flow and artificial sources) and concludes that the flood risk is low.

5.44 Drainage

It is proposed to discharge surface water to public sewer utilising the existing offsite connection to the Northumbrian Water sewer, as has been discussed through a predevelopment enquiry with NWL. The development does not increase flood risk off-site, and SuDS will be incorporated with the wider site, which the proposed development will form a part of. This includes a SuDS basin to the immediate south of the proposed development which will retain standing water as part of wider ecological mitigation measures, as it replaces and existing on-site pond.

5.45 Based on the above, it is considered that subject to conditions (Conditions 25 and 26) and based upon the submitted flood risk assessment and drainage proposals, the drainage scheme proposed is broadly acceptable.

5.46 The proposal would comply with the aims and requirements of Policies CS17 and MSGP29 of the Local Plan for Gateshead.

5.47 OPEN SPACE/PLAY SPACE

It is considered that while play and open space is limited on site, the wider site allows for an appropriate amount of onsite play/recreation space in accordance with Policy MSGP40 of the Local Plan for Gateshead.

5.48 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is housing related. The development is located within Charging Zone A, with a levy of £60 per square metre for this type of development.

6.0 CONCLUSION

6.1 The proposed development would result in the sensitive redevelopment of previously developed land. Taking all the relevant issues into account, it is considered that the proposal is acceptable in terms of Green Belt, landscape, heritage assets, visual amenity, residential amenity, highways, ecology, ground conditions, flood risk/drainage, open space/play provision, and would comply with the aims and objectives of the NPPF, and the relevant policies of the Local Plan for Gateshead.

7.0 Recommendation:

GRANT SUBJECT TO A SECTION 106 AGREEMENT:

1) The agreement shall include the following obligations to secure:

- Provision of affordable housing;
- Creation of offsite ecology mitigation/compensation to be linked with DC/19/01048/REM.

2) That the Service Director of Development, Transport and Public Protection be authorised to conclude the agreement.

3) That the Service Director of Development, Transport and Public Protection be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include;

1

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

PLN1. Site Location Plan Rev B

PLN2. General Arrangement 1 Rev F

PLN2. General Arrangement 3 Rev F
PLN3. Boundary Treatment Plan Rev F
PLN4. Surface Treatment Plan Rev F
PLN5. Elevation Treatment Plan Rev F
PLN6. Management Company Plan Rev E
PLN7. Site Execution Plan Rev F
PLN8. Noise Attenuation Plan Rev D
PLN9. Ecology Mitigation Plan Rev D
PLN10. Basic Arrangement Plan Rev F
30050 SH DHH PCSP Rev B Swept Path and Visibility Splay
D001 Engineering Layout Rev 10
D100 Proposed Levels Rev 6
D200 Impermeable Areas Rev 4
D202 Flood Routing Plan Rev 4
D204 Proposed Drainage Rev 8
D205 Basin Sections Detail Rev 3
Proposed Longsections 1of2 Rev 6
Proposed Longsections 2of2 Rev 6
D500 Kerbs Surfacing Plan Rev 3
D800 S38 Plan Rev 3
D801 S104 Plan Rev 3
D900 Vehicle Tracking Rev 4
19177 Flood Risk Assessment and Drainage Strategy V2
Dunston 1-2-30-100 Year Calculations
Dunston 100 Year + 40% Calculations
Dunston 100 Year + 40% + 10% Creep Calculations
30050 SH DHH TCM Proposed Traffic Calming Measures
Topographical Survey TS01 1of2
Topographical Survey TS01 2of2
Dunston Arboricultural Impact assessment V5
PLN12. Tree Protection Plan Rev B
Dunston Hill Archaeological Desk Based Assessment
Dunston Hill Heritage Statement
Design and Access Statement
Dunston Hill Hospital Ecological Impact Appraisal R05
Dunston Hill Hospital Bat Report R04
Dunston Hill Hospital Breeding Birds Survey R02
C8641 Geoenvironmental Appraisal
C8641 Ground Gas Risk Assessment
Fulford A01 PD House Type
Rushford A01 PD House Type
3714 101X Landscape Layout
3714 201X Planting Plan (2 of 3)
Landscape Visual Impact Assessment
Planning Statement
Retaining Wall Structural Survey
PLN13. Walled Garden Proposed Elevation (-)
Proposed Replacement Brick Sample Photograph 1
Proposed Replacement Brick Sample Photograph 2
Proposed Replacement Brick Sample Photograph 3
Transport Statement

Interim Travel Plan

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

Reason

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

2

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

Reason

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

3

No dwelling hereby approved shall progress above damp proof course until an external materials schedule has been submitted to and approved in writing by the Local Planning Authority and samples of the materials, colours and finishes to be used on the external surfaces have been made available for inspection on site and subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

4

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 3.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, policies CS15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

5

Prior to the rebuilding of the walls associated with the walled garden final details of the rebuild shall be provided, these details shall include a full scaled elevation, details of where reclaimed material will be used, details of where (and what) replacement material will be used shall be submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To preserve the architectural and historic interest of the site and to ensure no harmful impacts on residential amenity in accordance with NPPF and policies CS15, MSGP17 and MSGP25 of the Local Plan for Gateshead.

6

The development shall be completed in accordance with the details approved under Condition 5 and retained as such in accordance with the approved details thereafter.

Reason

To preserve the architectural and historic interest of the site and to ensure no harmful impacts on residential amenity in accordance with NPPF and policies CS15, MSGP17 and MSGP25 of the Local Plan for Gateshead.

7

No demolition of or works to the walls associated with the locally listed walled garden shall take place until the scoping of programme of archaeological building recording has been submitted to and approved in writing by the Local Planning Authority.

Reason

To provide an archive record of the historic building or structure and to accord with NPPF and policies CS15 and MSGP25 of the Local Plan for Gateshead.

8

The archaeological building recording approved under Condition 7 shall be completed in full and a report of the result shall be submitted to the Local Planning Authority, prior to the demolition of any buildings/structures on site.

Reason

To provide an archive record of the historic building or structure and to accord with NPPF and policies CS15 and MSGP25 of the Local Plan for Gateshead.

9

No development (including demolition) shall commence until a Demolition and Construction Management Plan (DCMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCMP shall include:

- a dust management plan
- a noise management plan
- contractor parking

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

Any temporary alteration to the working hours set out in this condition shall be submitted as part of the DCMP and approved in writing by the Local Planning Authority.

Reason

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

Reason for Pre-commencement Condition

This pre commencement condition is required to satisfy the Local Planning Authority that the demolition and construction phases of the development can be carried out in a manner which minimises nuisance to surrounding residents and businesses. This information is fundamental to the development and requires approval prior to development starting on the site as the commencement of demolition and construction works and the manner in which they are undertaken could affect adjacent occupiers.

10

The development shall be implemented in accordance with DCMP measures approved at condition 9.

Reason

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

11

No dwellinghouse hereby approved shall be occupied until the final details of traffic calming measures within the application site have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for their implementation.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

12

The traffic calming measures approved under Condition 11 shall be completed in full accordance with the approved details and the timetable for implementation.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

13

Prior to the first occupation of any dwellinghouse hereby approved final details of weatherproof cycle storage for each dwellinghouse including details of the locking mechanism and anchor point shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead, and the Gateshead Cycling Strategy.

14

The cycle storage provision approved at Condition 13 shall be provided for each dwellinghouse prior to the respective dwellinghouse being occupied.

Reason

In the interests of sustainable development and in order to accord with NPPF, Policy CS13 of the CSUCP, Policy MSGP15 of MSGP and the Gateshead Cycling Strategy.

15

No dwelling hereby approved shall be occupied until a final Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

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

Reason

In the interests of sustainable development and in order to accord with NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

16

The Travel Plan approved under condition 15 shall be wholly implemented in accordance with the approved details.

Reason

In the interests of sustainable development and in order to accord with NPPF, policies CS13 and MSGP15 of the Local Plan for Gateshead.

17

A landscape and ecological management plan (LEMP) for all retained landscaping features and proposed landscaping shall be submitted to,

and be approved in writing by, the Local Planning Authority prior to the first occupation of any dwellinghouse hereby approved.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species in accordance with the NPPF, policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

18

All retained and proposed landscape features shall be managed in full accordance with the LEMP approved under condition 17.

Reason

To avoid/minimise harm to retained habitats, ecological features and protected/priority species in accordance with the NPPF, policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

19

Prior to the commencement of the demolition hereby approved, an Interim Phase II Detailed Risk Assessment must be submitted to and approved in writing, by the Local Planning Authority. Following demolition, and prior to the commencement of any underground works associated with the development, an intrusive site investigation shall be undertaken, and a Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

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

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to the environment, future users of the site and construction workers. Reference should be made to CLR 11 - Model Procedures for the

Management of Land Contamination and BS 10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice.

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

Reason

In order to ensure the land is suitable for its sensitive end use in accordance with the NPPF, Policy CS4 of the CSUCP and Policy MSGP20 of MSGP.

20

Prior to commencement of the development hereby permitted (excluding demolition), where required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted for the written approval of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF, policies CS4 and MSGP20 of the Local Plan for Gateshead.

21

The details of remediation measures approved under condition 20 shall be implemented in full prior to commencement of the development hereby permitted (excluding demolition) and maintained for the life of the development.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF, policies CS4 and MSGP20 of the Local Plan for Gateshead.

22

Following completion of the remediation measures approved under condition 20 a verification report that demonstrates the effectiveness of

the remediation carried out must be submitted for the written approval of the Local Planning Authority prior to first occupation of the development hereby permitted.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF, policies CS4 and MSGP20 of the Local Plan for Gateshead.

23

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

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF, policies CS4 and MSGP20 of the Local Plan for Gateshead.

24

No development (excluding demolition) shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

- an assessment of the potential for disposing of surface water by means of a sustainable drainage system
- information about the design storm period and intensity
- the method employed to delay and control the surface water discharged from the site

- the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- a timetable for its implementation; and
- a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

25

The drainage scheme approved under condition 24 shall be implemented in accordance with the approved timetable and managed and maintained in accordance with the approved details thereafter.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

26

No development hereby approved (excluding demolition) shall commence until the final details of the site access off Mansion Heights, including the proposed visibility splay has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

27

The development shall be carried out in full accordance with the site access detail approved at Condition 26.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

28

No individual hard landscaping material shall be used on site until a detailed hard landscaping plan (including a timescale of implementation) has been submitted to and subsequently approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area and in the interests of highway safety, in accordance with the NPPF, policies CS13, CS15,

MSGP15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.

29

All hard landscaping shall be completed in full accordance with the details approved at Condition 24 (including timescales for implementation) and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area and in the interests of highway safety, in accordance with the NPPF, policies CS13, CS15, MSGP15 and MSGP24 of the Local Plan for Gateshead, and the Gateshead Placemaking SPD.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X