

Date of Committee: 22 December 2021

**Application Number and Address:**

DC/21/00326/FUL  
89-91, 93, 95 Woodbine Street  
Bensham  
Gateshead  
NE8 1ST

**Applicant:**

Shlomo Edry

**Proposal:**

Conversion of 4 flats into one 10no bedroomed dwelling with front porch, front and rear dormers and two storey rear infill extension (amended description and plans 29/09/21)

**Declarations of Interest:**

Name	Nature of Interest
None	None

**List of speakers and details of any additional information submitted:**

None

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary

- 1  
The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
- 2  
The development shall be carried out in complete accordance with the approved plan(s) as detailed below -
  - 21007-01
  - 21007-02
  - 21007-05

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.

3

The development hereby permitted shall be constructed entirely of the materials detailed on the application form.

4

No part of the development hereby approved shall be first occupied for the use hereby approved until secure and weatherproof cycle parking, capable of storing at least four cycles, has been provided on site. The provisions of which shall be retained on site in perpetuity.

5

Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the demolition and 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.

6

Notwithstanding the provisions of Article 3, Class A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no physical alterations or extensions shall be made to the dwelling without planning permission being granted by the Local Planning Authority.

7

Notwithstanding the provisions of Article 3, Class L of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the change of use from a dwelling to a HMO for between 3 and 6 occupants would not be permitted without planning permission being granted by the Local Planning Authority.

**Date of Committee: 22 December 2021**

**Application Number and Address:**

DC/21/00774/FUL  
Land bounded North and South of Blackfell Way  
Northside  
Birtley

**Applicant:**

Mr John Collins

**Proposal:**

Erection of 73 residential dwellings with associated infrastructure, landscaping and SUDS drainage (additional information and amended plans received 11/10/21, 12/10/21, 11/11/21, 12/11/21, 16/11/21 and 26/11/21).

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

**List of speakers and details of any additional information submitted:**

**Reason for Minor Update**

**Condition(s) added/deleted/amended**

**DRAINAGE**

Updated flood risk/drainage information has been submitted for the application.

**Further information is required as follows:**

- Urban creep allowance to be reviewed – either justification of 8% or use of 10%.
- The means of managing overland runoff from the undeveloped site area to the north that currently accumulates in the low spot of the application site
- Confirmation of measures for long term retention/maintenance of a clear route to prevent overland flood water from adversely affecting plots 3 and 4 (where there would be a low area and a retaining wall that would be flush with the finished ground level), to ensure the potential flood flow route is not compromised (eg by

changing the railings to a solid wall, etc.)

- Updated water quality calculations for the detention basin to suit the proposed basin geometry (varying widths) and modelled water level.
- Completion of final details relating to landscaping/biodiversity matters.
- Details of the construction plan to allow adequate design development by the contractor.

It is recommended that additional conditions be imposed requiring the submission of the above detail to the LPA for consideration, and implementation of the approved scheme.

It is also recommended that a condition be imposed requiring the submission of a post development topographical survey of the detention basin, demonstrating that the design attenuation volume is adequate.

The wording of the additional recommended conditions is below:

**47**

***The development hereby approved shall not progress above damp proof course until the following details have been submitted to and approved in writing by the Local Planning Authority:***

- ***Detailed final drawings of the proposed drainage scheme, along with supporting calculations demonstrating that runoff for all rainfall events up to and including 1in100year return period, with intensities increased to allow for the predicted effects of climate change over the lifetime of the development are adequately managed on site. Connected areas shall be increased with an appropriate urban creep allowance (either justification of 8% or use of 10%). Discharge from site shall be limited to a greenfield rate of runoff as determined in the Flood Risk Assessment & Drainage Strategy by CK21 (rev C, Nov 2021).***
- ***Adequate water quality measures for the mitigation of pollution from potential contaminants from connected drainage areas (including updated water quality calculations for the detention basin to suit the proposed basin geometry (varying widths) and modelled water level)***
- ***Management of overland run-off from offsite sources and works both on and offsite to safeguard sufficient above ground capacity in mitigation of moving the risk of flooding to downstream areas in the catchment.***
- ***A construction plan in line with section 6.3.12 of the Flood Risk Assessment and Drainage Strategy demonstrating how the quantity and quality of runoff on site will be adequately managed in the interim period between commencement on site and completion of the drainage system.***
- ***Final details relating to landscaping and biodiversity aspects of the detention basin design.***

**Reason**

**To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan**

**48**

**The development hereby approved shall be implemented in accordance with the details approved under condition 47 at all times and retained and maintained as such for the lifetime of the development.**

**The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 5414 and ensure that surface water discharges to the attenuation pond and surface water network to the south of the site at a maximum rate of 12.4l/s.**

**Reason**

**To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan**

**49**

**No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:**

**- As-built information relating to the principal elements of the final drainage scheme, demonstrating that design intent has been delivered. This shall include a topographical survey of the detention basin area together with the approved S104 plan.**

**- Final details of Management and Maintenance, including timescales and a demonstration of how the potential overland flood flow route between plots 3 and 4 will be maintained (eg. communicated to future property owner/occupants) to ensure that it will be maintained clear of obstruction for the lifetime of the development.**

**Reason**

**To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17, MSGP29 and MSGP30 of the Local Plan**

**50**

**The management and maintenance measures approved under condition 49 shall be implemented in accordance with the approved details and timescales and retained and maintained as such for the lifetime of the development.**

**Reason**

**To prevent the increased risk of flooding from any sources and to ensure an appropriate drainage strategy in accordance with the NPPF and policies CS17,**

## ***MSGP29 and MSGP30 of the Local Plan***

Additionally, it is recommended that condition 1 be updated to include the following drainage documents:

***B3-CK-XX-XX-DR-C-5310 Suds Details - Rev T2***  
***B3-CK-XX-XX-DR-C-5300 Drainage Headwall Details Rev - T2***  
***B3-CK-XX-XX-DR-C-5200 Public Drainage Layout - Rev T2***  
***B3-CK-XX-XX-DR-C-2010 Suds Maintenance Plan - Rev P1***  
***B3-CK-XX-XX-DR-C-5360 Public Drainage Details Rev T1***  
***B3-CK-XX-XX-DR-C-5350 Public Drainage Sections Sheet 1 Rev T1***  
***B3-CK-XX-XX-DR-C-5351 Public Drainage Sections Sheet 2 Rev T1***

The following policies are also relevant to the application and added to the list of policies in the main report:

***MSGP29 - Flood Risk Management***

***MSGP30 - Water Quality/River Environments***

### **ECOLOGY**

Additional/amended information has been received in relation to impact on ecology/biodiversity. This detail provides confirmation of the following:

The proposed development site provides a baseline value of 23.52 habitat units with 0.24 habitat units being retained and 5.71 habitat units being created on site.

This results in net loss of -17.57 habitat units (-74.69%). As such, an appropriate biodiversity offset (i.e. habitat creation and/or enhancement measures to be delivered on suitable land outwith the development site and which delivers in excess of 17.57 habitat units) is required for the development to achieve measurable Biodiversity Net Gains in accordance with national and local planning policy. This is required by existing recommended condition 34, and the figures formally reported in this updated report.

Further, the reason for the pre-commencement condition 32 is added to the condition wording below:

**32**

***No works associated with the development (including site/vegetation clearance and soil stripping) shall commence on site until a Biodiversity Method Statement and Japanese Knotweed protocol has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Method Statement shall include full details of the measures to be implemented to avoid/minimise the risk of harm to biodiversity including statutorily protected and priority species and retained habitats during the site clearance and construction phase, and to provide suitable opportunities for biodiversity, including statutorily protected and priority species (i.e. roosting bats, breeding birds and hedgehog) on site post development. The Japanese Knotweed protocol shall include full details of the measures to be***

***implemented to prevent the spread and eradicate Japanese Knotweed from the site.***

***Reason***

***To avoid, mitigate and compensate for the impacts of the development on biodiversity including statutorily protected and priority species and retained habitats/features within and/or immediately outwith the proposed development site, to provide enhanced opportunities for biodiversity, and to prevent the spread of invasive non-native species in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan.***

***Reason for pre-commencement condition***

***To avoid/minimise harm to biodiversity at all times during works and construction.***

**HIGHWAYS CONDITIONS**

Recommended conditions 26-28 in the main report read:

**26**

***No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:***

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49***
- A 2m x 2m visibility splay at all driveways (with nothing above 600mm within the visibility envelope)***
- Final details of the new footpath at the south eastern part of the site***
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site***

***Reason***

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***

**27**

***The details approved under condition 26 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.***

***Reason***

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***

**28**

***All kerbing throughout the development shall have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points; The raised plateaus hereby approved shall be 100mm high, with 1:10 on/off ramps; and there shall be channel drains where any driveway falls towards a public footway or carriageway.***

***Reason***

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***

Following discussion with the applicant, it is recommended that these be amended as follows:

**26**

***No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:***

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49***
- ~~A 2m x 2m visibility splay at all driveways (with nothing above 600mm within the visibility envelope)~~***
- Final details of the new footpath at the south eastern part of the site***
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site***

**Reason**

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***

**27**

***The details approved under condition 26 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.***

**Reason**

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***

**28**

***All kerbing throughout the development shall have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points; The raised plateaus hereby approved shall be 100mm high, with 1:10 on/off ramps; and there shall be channel drains where any driveway falls towards a public footway or carriageway.***

***Additionally, a 2m x 2m visibility splay shall be provided to both sides of all driveways (where a double driveway or two combined single driveways with a buffer exist, the splay requirement will be to the sides of the overall driveway dimension)***

**Reason**

***In the interests of highway safety, in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan.***



**Any additional comments on application/decision:**

Minded to GRANT planning permission, subject to planning conditions and subject to further representations and consultations that may be received before the current publicity/notification period ends (23 December 2021), and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary:

1

Unless otherwise required by condition, the development shall be carried out in complete accordance with the approved plan(s) as detailed below -

QD1432-300-01 Location Plan (A3)  
PC0G013-1432-QUE-XX-XX-DR-A-31101-Planning layout REV F  
B3-CK-XX-XX-DR-C-9000 External Works Sheet 1 - Rev T2  
B3-CK-XX-XX-DR-C-9001 External Works Sheet 2 - Rev T2  
QD1432\_321\_01\_Render Site Sections (A0)  
QD1432\_330\_01\_Materials layout (A1)(1)  
QD1432-316-01 Roof Plan (A1)  
PC0G013-1432-QUE-XX-XX-DR-A-33201-Enclosure Layout  
PC0G013-1432-QUE-XX-XX-DR-A-33202-Enclosure Details

QD1432\_A\_01\_House Type A(S) REV\_A  
QD1432\_AF2\_01\_House Type AF2(S) REV\_A  
QD1432\_AF3\_01\_House Type AF3(S) REV\_A  
QD1432\_B1\_01\_House Type B1(S) REV\_A  
QD1432\_B2\_01\_House Type B2(S) REV\_A  
QD1432\_B3\_01\_House Type B3(S) REV\_A  
QD1432\_C2\_01\_House Type C2(S) REV\_A  
QD1432\_D1\_01\_House Type D1(S) REV\_A  
QD1432\_E3\_01\_House Type E3(S) REV\_A  
QD1432\_F1\_01\_House Type F1(S) REV\_A  
QD1432-339-01 Proposed Garages (A1) REV A

QD1432-338-01 Cycle Shed (A2)  
PC0G013-1432-QUE-XX-XX-DR-A-35501- Parking Strategy Plan (A1) REV A  
QD1432-01-1020-B - CYCL\_RUTE – 211110  
B3-CK-XX-XX-DR-C-S38 Section 38 Plan Rev T1  
0002180920-E-R0-140621-A1-Rev T1 ('Birtley Street Lighting')  
B3-CK-XX-XX-DR-C-2000 Surface Finishes & Kerb Arrangement Rev T1  
B3-CK-XX-XX-DR-C-3001 Public Carriageway Sections Rev T1  
B3-CK-XX-XX-DR-C-3005 Section 38 Public Construction Details Sheet 1 Rev T1  
B3-CK-XX-XX-DR-C-3006 Section 38 Public Construction Details Sheet 2 Rev T1

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.

2

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

3

Notwithstanding the approved plans, no new external materials shall be used on site and no railings shall be installed on site until final details of these have been submitted to an approved in writing by the Local Planning Authority.

4

The details approved under condition 3 shall be implemented in full accordance with the approved details and retained as such for the lifetime of the development.

The final boundary treatment/enclosure details approved under condition 3 shall be implemented in accordance with the approved details before the respective dwelling(s) hereby approved are occupied and retained as such for the lifetime of the development.

All windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the respective dwellings hereby approved and retained thereafter.

5

All works associated with the development hereby permitted, including the use of any equipment on the site, shall be carried out only between 08:00 hours and 18:00 hours on Mondays to Saturdays and at no time on Sundays or Bank Holidays.

6

No development hereby approved shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) A Construction Traffic Management Plan which includes further details of the management of vehicles arriving at and leaving the site during demolition and construction;
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding
- (e) Wheel washing facilities

- (f) Measures to control the emission of dust and dirt during construction
- (g) Measures to control noise and vibration during demolition and construction
- (h) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Pre-commencement reason

To ensure that demolition and construction details can be approved prior to on-site works thereby avoiding any abortive work and preventing harm to nearby sensitive receptors due to uncontrolled demolition and/or construction and harm to highway safety which could otherwise occur.

7

The development hereby approved shall be implemented wholly in accordance with Construction Management Plan measures approved under condition 6 at all times during construction.

8

No new hard landscaping shall be used on site until final details of the appearance of the hard landscaping on site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timescale for its implementation.

9

The hard landscaping details approved under condition 8 shall be implemented in accordance with the approved details, including the approved timescale, and retained as such for the lifetime of the development.

10

The approved bollard details shown on plans B3-CK-XX-XX-DR-C-3006 Section 38 Public Construction Details Sheet 2 Rev T1 and PC0G013-1432-QUE-XX-XX-DR-A-31101-Planning layout REV F shall be implemented in accordance with the approved details before the dwellings at plots 40 and 48 hereby approved are respectively occupied, and retained as such for the lifetime of the development.

11

No dwelling hereby approved shall be occupied until final details of the play area, including play facilities, timescales for its laying out and long term maintenance, have been submitted to and approved in writing by the Local Planning Authority..

12

The play area approved under condition 11 shall be implemented in accordance with the approved details and maintained as such for the lifetime of the development.

13

No dwelling hereby approved shall be occupied until details of a scheme demonstrating a minimum of 8 affordable homes would be provided on site has been submitted to and approved in writing by the Local Planning Authority.

14

At least 19 of dwellings hereby approved shall be constructed to meet the Building Regulation M4(2) Category 2: Accessible and Adaptable Dwellings standard or equivalent successor standards.

15

No dwelling hereby approved shall not be occupied until a statement explaining the outcome of engagement with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development has been submitted to and approved in writing by the Local Planning Authority.

16

Internal noise levels in habitable rooms at each dwelling shall meet the sound level values shown in Table 4 of the standard BS8233:2014 – Guidance for sound reduction and noise insulation in buildings.

17

The cycle storage details shown on plan QD1432-338-01 Cycle Shed (A2) shall be implemented in full accordance with the approved details before each respective dwelling is occupied, and retained and maintained as such for the lifetime of the development.

18

No dwelling hereby approved shall be occupied until a scheme relating to electric vehicle charging infrastructure has been submitted to and approved in writing by the Local Planning Authority.

19

The scheme approved under condition 18 shall be implemented in accordance with the approved details before the respective dwelling is occupied and the electric vehicle infrastructure shall be retained and maintained as such for the lifetime of the development.

20

No dwelling hereby approved shall be occupied until final details of the cycle route signage and markings, including timescales for implementation, have been submitted to and approved in writing by the Local Planning Authority.

21

The details approved under condition 20 (inclusive of Traffic Regulation Order) shall be implemented in full accordance with the approved details and timescales and retained as such for the lifetime of the development.

22

No dwelling hereby approved shall be occupied until a final detailed design for a traffic calming scheme and extended 20mph zone on Blackfell Way have been submitted to and approved in writing by the Local Planning Authority.

23

The details approved under condition 22 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.

24

No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Upgrading of tactile paving crossing points at the junction to Blackfell Way
- 2.4m x 43m visibility splay at Blackfell Way junction including details of any necessary vegetation removal/cutting back to achieve and retain the visibility splay for the lifetime of the development.
- Removal of the unused bellmouth access on Blackfell Way and reinstatement as a continuous footway and verge

25

The details approved under condition 24 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.

26

No dwelling hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Final swept path testing (primarily relating to the driveways at plots 11, 48 and 49
- A 2m x 2m visibility splay at all driveways (with nothing above 600mm within the visibility envelope)
- Final details of the new footpath at the south eastern part of the site
- Final details of the arrangement of the Visitor Parking laybys at the south eastern part of the site

27

The details approved under condition 26 shall be implemented in full accordance with the approved scheme prior to first occupation of the development.

28

All kerbing throughout the development shall have a face/upstand of 100mm, only reducing to near flush at driveways and pedestrian crossing points; The raised plateaus hereby approved shall be 100mm high, with 1:10 on/off ramps; and there

shall be channel drains where any driveway falls towards a public footway or carriageway

29

No dwelling hereby approved shall be occupied until a Travel Plan for future occupiers has been submitted to the Local Planning Authority for consideration. The Travel Plan shall include:

- An assessment of the site, including the transport links to the site, on-site facilities, any transport issues and problems, barriers to non-car use and possible improvements to encourage walking, cycling and bus use.
- Appointment of a travel plan co-ordinator and identification of associated budget
- Clearly defined objectives, targets and indicators
- Details of proposed measures
- Detailed timetable for implementing measures
- Proposals for maintaining momentum and publicising success
- A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.
- Commitment to the use of the Council's preferred monitoring database (currently Jambusters)
- Two introductory travel tickets per dwelling equalling four weeks travel per ticket to be introduced to residents within their welcome packs

30

Within 24 months of the date of approval of condition 29, evidence of the implementation of the Travel Plan approved under condition 29 over a minimum period of 12 months, and any revisions, shall be submitted to the Local Planning Authority for consideration.

31

The Travel Plan and any revisions approved under conditions 29 and 30 shall be wholly implemented in accordance with the approved details for the lifetime of the development.

32

No works associated with the development (including site/vegetation clearance and soil stripping) shall commence on site until a Biodiversity Method Statement and Japanese Knotweed protocol has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Method Statement shall include full details of the measures to be implemented to avoid/minimise the risk of harm to biodiversity including statutorily protected and priority species and retained habitats during the site clearance and construction phase, and to provide suitable opportunities for biodiversity, including statutorily protected and priority species (i.e. roosting bats, breeding birds and hedgehog) on site post development. The Japanese Knotweed protocol shall include full details of the measures to be implemented to prevent the spread and eradicate Japanese Knotweed from the site.

33

The development hereby approved shall be implemented in full accordance with the biodiversity method statement approved under condition 32 at all times during works on site associated with the development and until final completion.

34

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until details of an offsite biodiversity net gain compensatory scheme, including the means of delivery, which delivers a measurable net gain for biodiversity, as demonstrated through application of the Defra Biodiversity Net Gain Metric 2.0, to be delivered on suitable land, and including timescales for delivery and measures for maintenance and monitoring protocols, shall be submitted to and approved in writing by the Local Planning Authority.

35

The biodiversity offset scheme approved under condition 34 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

36

Notwithstanding the submitted information, the development hereby approved shall not progress beyond the damp course layer until full details of the soft landscaping and areas of habitat creation listed in the onsite post enhancement section of the biodiversity net gain assessment/Defra metric 2.0, including timescales for implementation, have been submitted to and approved in writing by the local planning authority.

37

The soft landscaping and habitat creation scheme approved under condition 36 shall be implemented in full accordance with the approved measures and timescales, and maintained thereafter for a minimum of 30 years.

38

No dwelling hereby approved shall be occupied until a detailed management plan, annual maintenance programme, monitoring protocol and arrangements to address any defects/issues adversely impacting the value and function of the soft landscaping and/or habitats provided on site have been submitted to and approved in writing by the Local Planning Authority.

39

The details approved under condition 38 shall be implemented in full accordance with the approved details at all times for the life of the development or a period of no less than 30 years.

40

No development or other operations shall commence on site in connection with the development hereby approved, (including, soil moving or any operations involving the use of motorised vehicles or construction machinery) until the submitted tree protection scheme (as detailed in GRP\_BirtleyIII\_AIA1.2) is implemented under the supervision of the applicant's Arboricultural Consultant. The approved protection scheme must be implemented in full and in the case of the protective fencing must be retained intact for the full duration of the development and there shall be no access, storage, ground disturbance or contamination within the protected areas without the prior written approval of the local planning authority.

The approved tree protection plan shall be displayed at all times outside the site office or in a location visible to all contractors and site personnel. Once implemented the tree protection scheme shall be checked daily with a record of the daily checks being kept on file in the site office. The record shall include the date, time and name of the person carrying out the checks together with any problems identified and action taken. If at any time tree protection is missing or deficient without the prior written approval of the Local Planning Authority being obtained, all construction operations shall cease until the protection is correctly in place. Details of this should also be recorded in the tree protection record file.

Reason for pre-commencement condition

To ensure appropriate tree protection is in place before works that would pose a risk to retained trees commence.

41

No development hereby approved shall commence until the mitigation strategy (Section 6.5.2 of the Outline Remediation Strategy Report, April 2020: FWS Consultants Ltd) to address land instability arising from coal mining legacy have been implemented on site in full.

Reason for pre-commencement condition

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

42

The development hereby approved shall not commence until a report of findings arising from further intrusive site investigations and a Phase II Detailed Risk Assessment (to assess potential contamination at the site) have been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.



Reason for prior to commencement condition

The site investigation and assessment of the risks of the site must be undertaken before the development commences in order to ensure that an appropriate remediation scheme suitable for the sensitive end use is identified and approved prior to commencement of the development, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, from the beginning of the works.

43

Where required, the remediation and monitoring measures approved under Condition 42 shall be implemented in accordance with the details and timescales approved and in full accordance with the approved details.

44

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

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

45

The remediation and monitoring measures approved under condition 44 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

46

Where remediation is required (under conditions 41-45), following completion of the approved remediation and monitoring measures, no dwelling hereby approved shall occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Where this is carried out in phases, no dwellings within the relevant phase shall be occupied until a verification report that demonstrates the effectiveness of the remediation carried out for that phase has been submitted to and approved in writing by the Local Planning Authority.

The Verification report(s) shall also include cross sectional diagrams of the foundations and details of the approved gas protection measures, details of integrity testing of gas membranes and any test certificates produced.

**Date of Committee: 22 December 2021**

**Application Number and Address:**

DC/21/01003/FUL  
Ateres Girls High School  
Willow Grove  
Felling  
NE10 9PQ

**Applicant:**

Mr David Schleider

**Proposal:**

Erection of two-storey extension annexe creating 8 new classrooms and support spaces with ancillary teaching space within the roof space alongside associated external works.

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

**List of speakers and details of any additional information submitted:**

None.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary:

1

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

Location Plan (Drawing No. 19011/L01)  
Ground Floor, New Teaching Block (Drawing No. 19011 P01)  
First Floor, New Teaching Block (Drawing No. 19011 P02)  
Upper Floor, New Teaching Block (Drawing No. 19011 P03)  
Section A.A (Drawing No. 19011 P10)  
Site Sections (Drawing No. 19011 P20)  
Roof Plan (Drawing No. 19011 P30)  
Proposed Elevations (Drawing No. 19011 P50)  
Site Plan (Drawing No. 19011 P100)

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.

2

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

3

Prior to the commencement of the development hereby approved, a construction management plan including the hours of operation, location and layout of any compound area(s), a scheme for the control of noise and dust and vehicle access locations shall be submitted to and approved in writing by the Local Planning Authority.

Reason for pre-commencement

The construction control plan must be submitted and approved in writing before the development commences in order to ensure that an appropriate scheme can be implemented prior to works starting on site which may have a detrimental impact upon the amenity of local residents.

4

The construction management plan approved under condition 3 shall be implemented and complied with in full during all stages of construction, until completion of the development hereby approved.

5

Prior to the commencement of the development hereby permitted a detailed drainage strategy for the disposal of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority.

The drainage strategy shall follow the hierarchy of surface water drainage options in National Planning Practice Guidance and be designed in accordance with the SuDS Manual (CIRIA C753) and the North East Lead Local Flood Authorities Local Standards and shall include a management and maintenance plan for the drainage system where necessary.

Reason for pre-commencement

To ensure that it has been demonstrated that the drainage scheme will prevent the increased risk of flooding prior to construction of the development and to ensure that the site layout can accommodate the proposed drainage measures prior to the commencement of the construction of the development.

6

The drainage strategy approved under condition 5 shall be implemented prior to first use of the development hereby approved and shall be retained/maintained in accordance with the approved details for the lifetime of the development.

7

Notwithstanding the details shown on the submitted drawings no external materials shall be used in the construction of the development hereby permitted until samples of the materials to be used have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

8

The development shall be completed using the materials approved under condition 7.

9

Should the number of pupils enrolled at the school exceed 300, an updated Transport Statement shall be submitted to and approved in writing by the Local Planning Authority.

The Transport Statement shall include proposals for sustainable travel which take into account the increased pupil numbers and measures to encourage sustainable travel.

A list of the number of pupils in attendance at the school shall be kept and shall be made available for inspection by the Local Planning Authority on request.

10

The measures approved under condition 9 shall be implemented in full prior to any increase in the number of pupils enrolled at the school which exceeds 300.

11

The 'Travel Plan Statement – Ateres Girls High School V2 dated 25 November 2021' hereby approved shall be implemented in full upon occupation of the development hereby approved.

Evidence of the implementation of the submitted 'Travel Plan Statement – Ateres Girls High School V2 dated 25 November 2021' 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.

At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

12

Prior to first occupation of the development hereby approved the car parking and bus turning areas shown on the plan at Appendix 2 'Development Proposals' to the 'Transport Statement – Ateres Girls High School V2 dated 25 November 2021' shall be marked out in complete accordance with the layout shown on the approved plan and shall be maintained as such for the lifetime of the development.

13

The cycle parking provision shown on 'Site Plan (Drawing No. 19011 P100)' shall be implemented in full prior to first occupation of the development hereby approved and shall be retained as such for the lifetime of the development.

For the avoidance of doubt the approved cycle parking provision comprises a 'Cambridge'

cycle shelter by Broxap to accommodate 24no. cycles including 12no. Sheffield hoops, or a direct equivalent of the same size.

14

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

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

15

The remediation and monitoring measures approved under condition 14 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) being undertaken and maintained for the life of the development.

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

16

Where remediation is required, following completion of the remediation and monitoring measures approved under condition 14, the development hereby approved shall not be first occupied until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

