

Date of Committee: 19 January 2022

Application Number and Address:

DC/21/00184/FUL
Land to the south of Fletcher Road
Gateshead

Applicant:

Mark Gabriele (Bellway)

Proposal:

Demolition of existing structures on site and the construction of 98 no. 1-2 bed apartments with associated access, infrastructure, car parking, landscaping and open space on land to the south of Fletcher Road, Gateshead (additional information received 14/05/21 and 12/08/21, amended and additional information received 18/06/21, 29/09/21 and 13/12/2021).

Declarations of Interest:

Name	Nature of Interest
None	None

List of speakers and details of any additional information submitted:**Reason for Minor Update**Conditions

The following are the conditions recommended to accompany the recommendation to grant planning permission subject to a Section 106 legal agreement.

1

The development shall be carried out in complete accordance with the approved plans as detailed below –

- Proposed Site Layout ref: 101 rev P
- Proposed Site Layout (coloured) ref: 100 rev N
- Indicative Streetscenes ref: 104 rev E
- Landscape Strategy ref: 1255_100 Rev E
- Boundary Treatment Layout ref: 103 rev F
- Adoptable Highways Layout ref: 102 rev F
- Drainage Strategy V5
- Drainage Layout ref: QD1731-00-01 rev D
- Proposed Levels ref: QD1731-00-02 rev D
- Langlands Court Elevations ref: A/LAA-OYG/00/CON/02
- Langlands Court Plans ref: A/LAA-OYG/00/CON/01
- Moore Court Elevations ref: A/MOA-OYG/00/CON/02 rev A
- Moore Court Plans ref: A/MOA-OYG/00/CON/01
- Westlake Court Elevations ref: A/WEA-OYG/00/CON/02

- Westlake Court Plans ref: A/WEA-OYG/00/CON/01
- Vehicular Access Arrangement ref: 21-035/002 rev B
- Swept Path ref: 21-035/TK18
- Swept Path ref: 21-035/TK19
- Swept Path ref: 21-035/TK20 rev A
- Proposed Access Design 21-035 TK11 Rev A
- Proposed Access Design 21-035 TK12 Rev A
- Proposed Access Design 21-035 TK13 Rev A
- Proposed Access Design 21-035 TK14 Rev A
- Proposed Access Design 21-035 TK15 Rev A
- Materials V1.3
- Arboricultural Impact Assessment Ref: ARB/AE/2520

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

Prior to commencement of the development hereby approved (including vegetation clearance works and erection of site security hoardings), a Demolition and Construction Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for:

- i. the parking of vehicles of site operatives, contractors and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used for the demolition works and constructing the development
- iv. the erection and maintenance of security hoarding
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during demolition and construction
- vii. a scheme for the recycling/disposing of waste arising from demolition and construction works.
- viii. Phasing of works
- ix. measures to minimise noise during the demolition and construction phases including:
 - a. Selection of appropriate equipment and construction methods;
 - b. Plant to be located as far away as is reasonably practicable from noise-

- sensitive receptors;
- c. Static plant/equipment fitted with suitable enclosures or screening where practicable;
 - d. Temporary hoardings/screens around the site boundary or specific activities as appropriate;
 - e. Site personnel instructed on best practicable means to reduce noise and vibration as part of their induction training and as required prior to specific work activities;
 - f. Appropriate management of working hours for noisier tasks; and
 - g. Liaison with residents in advance of works commencing to provide information regarding the programme.

In addition, all works and ancillary operations in connection with the remediation of the site, demolition and construction of the new development, including the use of any equipment or deliveries to the site shall be carried out only between 0800 hours and 1700 hours Monday to Friday, 0800 hours and 1300 hours Saturday and at no time Sunday or Bank Holidays unless otherwise approved in writing by the Local Planning Authority.

Reason for prior to commencement condition

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development in accordance with the National Planning Policy Framework and policies CS14 and MSGP17 of the Local Plan for Gateshead.

The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

4

The development shall be carried out in accordance with the Demolition and Construction Management Plan approved under condition 3 at all times during the development.

Reason

To safeguard the sensitive environmental features that have the potential to be affected by the construction of the proposed development in accordance with the National Planning Policy Framework and policies CS14 and MSGP17 of the Local Plan for Gateshead.

5

Prior to commencement of the development hereby approved (except vegetation clearance works, erection of site security hoardings and ground contamination remediation) further intrusive site investigations shall be carried out on site to establish the exact situation in respect of coal mining legacy features and the findings of these site investigations submitted to and approved in writing by the Local Planning Authority. The intrusive site investigations shall be carried out in accordance with the Construction Industry Research and Information Association (CIRIA) publication Special Publication 32 "Construction over Abandoned Mine Workings".

Reason for prior to commencement condition

To ensure that risks from land instability to the future users of the land and neighbouring land are minimised in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

The Local Planning Authority is satisfied that this information is so fundamental to the

development permitted that it would have been otherwise necessary to refuse the whole permission.

6

Where the findings of intrusive site investigations required by condition 5 above identify that coal mining legacy on the site poses a risk to surface stability, a detailed remediation scheme to protect the development from the effects of such land instability shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any construction operations in those affected areas.

Reason

To ensure that risks from land instability to the future users of the land and neighbouring land are minimised in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

7

The remediation details approved under condition 6 shall be implemented on site prior to commencement of any construction operations in the areas where such remediation works are required, and a validation report confirming the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land instability to the future users of the land and neighbouring land are minimised in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

8

The remediation strategy set out in the Remediation & Enabling Works Strategy July 2021 report produced by Ergo, Report Reference – “20-722-01 Rev A”, dated July 2021, namely the removal of identified localised hotspots of contaminants to be chemically validated to assess chemical suitability for retention on site in an area of no future sensitivity as part of cut fill enabling works, shall be implemented on site prior to commencing any groundworks associated with construction of the development in those affected areas.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

9

The results of the chemical testing and validation under condition 8, including validating to a minimum depth of 600mm to prove that there is acceptable “clean cover” in the open space areas shall be submitted to an approved in writing by the Local Planning Authority prior to the first occupation 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 in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for

Gateshead.

10

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 (LPA).

An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the LPA prior to the remediation being commenced.

Following completion of the measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority prior to the first use 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 in accordance with the National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

11

Construction of the residential blocks shall not commence until an updated drainage assessment and scheme for a sustainable drainage system, including an exceedance assessment and a management and maintenance plan, in accordance with Gateshead Council's Interim Surface Water Guidelines for New Development (2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate, via calculation, that the inlet capacity of the drainage system is sufficient to deal with the runoff generated by rain falling over both grasscrete parking bays and adjacent impermeable access aisles and can be drained into the sub-base as intended.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the National Planning Policy Framework and policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

12

The SuDS scheme shall be implemented in accordance with the details approved under condition 11 prior to the development hereby approved being operational and shall be retained as such thereafter.

Reason

To ensure appropriate sustainable drainage and to prevent the risk of flooding in accordance with the National Planning Policy Framework and policies CS17, MSGP29 and MSGP30 of the Local Plan for Gateshead.

13

Prior to commencement of the development hereby approved, including any vegetation/site clearance works, demolition or enabling works, a Biodiversity Method Statement detailing the measures to be implemented to avoid/minimise the risk of harm to and enhance biodiversity including protected and priority species, retained habitats and features, including those out with the development site, and invasive non-native species,

has been submitted to and approved in writing by the Local Planning Authority.

Reason

To avoid/minimise harm to biodiversity in accordance with the National Planning Policy Framework and policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

Reason for prior to commencement condition

To ensure it has been demonstrated that the impacts of the development upon biodiversity have been avoided/mitigated prior to construction of the development.

14

The proposed development shall be undertaken in accordance with the Biodiversity Method Statement approved under condition 13.

Reason

To avoid/minimise harm to biodiversity in accordance with the National Planning Policy Framework and policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

15

Prior to the first occupation of the development final details for repositioning of the electricity substation close to the vehicular entrance and demonstration of a 2.4m x 43m visibility splay at the new access onto the existing roundabout shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure highway safety is maintained in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

16

The substation shall be constructed in accordance with the details approved under condition 15.

Reason

To ensure highway safety is maintained in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

17

Prior to the first occupation of the development final details of the highway design and layout, and the timescale for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Final details for the 20mph zone inclusive of highway-standard signage details and locations.
- Final details for the highway layout where the proposed shared cycle/pedestrian path merges with Fletcher Road, including the handling of cycle movements from the Fletcher Road westbound cycle lane and onto the shared path, and also possible right turn cycle movements out of the shared path and onto the eastbound cycle lane on Fletcher Road. Shared path signage and pavements to be included as part of any design, along with any dropped kerbs and corduroy paving that may be necessary.
- Final details of the proposed access/roundabout surface treatments and construction specifications following consultation with the Council's highway design

team.

- Final details for no waiting at any time restrictions along the new section of access road.
- Final details of limited waiting restrictions within the public/visitor parking bays of the proposed site.

Reason

To ensure highway safety is maintained in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

18

The final highway design and layout shall be constructed in accordance with the details and timescale approved under condition 17.

Reason

To ensure highway safety is maintained in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

19

A scheme detailing a comprehensive external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The scheme shall include a full street lighting scheme to adoptable standards and avoid/minimise adverse impacts on light sensitive species and created and retained habitats/features, including those out with the red line boundary of the application site.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the National Planning Policy Framework and policies CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP38 of the Local Plan for Gateshead.

20

The external lighting strategy shall be implemented in accordance with the details approved under condition 19 prior to the first occupation of the development and retained thereafter.

Reason

To safeguard the visual and residential amenities of the area and prevent any undue impact upon biodiversity in accordance with the National Planning Policy Framework and policies CS14, CS15, CS18, MSGP17, MSGP24, MSGP25 and MSGP38 of the Local Plan for Gateshead.

21

Prior to the first occupation of the development final details of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The final cycle details must include: locker/unit specification inclusive of door lock and secondary internal anchor device; details of CCTV within cycle store rooms; details of security access control system on the doors that permit access into the cycle store rooms; and full details of how cycle lockers will be managed by the building management company.

Reason

To ensure highway safety is maintained and cycle storage is adequately accommodated in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

22

The cycle storage provision shall be implemented in accordance with the details approved under condition 21 prior to the first occupation of the development and retained thereafter.

Reason

To ensure highway safety is maintained and cycle storage is adequately accommodated in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

23

Final details of the electric vehicle charging infrastructure and management, including the specification of the units to be installed, any associated works required and a timetable for their installation shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby.

Reason

In order to ensure adequate provision for electric vehicles in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

24

The electric vehicle charging provision shall be implemented in accordance with the details approved under condition 23 and maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for electric vehicles in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

25

Prior to the first occupation of the development a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for but not limited to the following measures:

- 1) Identification of challenging travel plan targets and associated initiatives to help meet those targets
- 2) Reduction in car usage and increased use of public transport, walking and cycling;
- 3) Measures to incentivise residences to travel to and from the site by sustainable means;
- 4) More environmentally friendly delivery and freight movements;

Reason

To support sustainable travel in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

26

The Travel Plan shall be implemented in accordance with the details and timescales approved under condition 25 and retained as such thereafter unless otherwise first approved in writing by the Local Planning Authority.

Reason

To support sustainable travel in accordance with the National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

27

Prior to the first occupation the development final details of the measures necessary, including waiting restrictions and a timetable for its implementation, in order to manage car parking on the public highway within the whole Ochre Yards site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To improve highway safety in accordance with National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

28

The details approved under condition 27 shall be implemented in accordance with the timetable and maintained for the life of the development unless otherwise approved in writing with the Local Planning Authority.

Reason

To improve highway safety in accordance with National Planning Policy Framework and policies CS13 and MSGP15 of the Local Plan for Gateshead.

29

The development shall be constructed using the materials set out on plan reference Materials - Ochre Yards V1.3 unless otherwise approved in writing by the Local Planning Authority.

Reason

To safeguard the visual amenities of the area in accordance with the National Planning Policy Framework and policies CS14, CS15, MSGP17, MSGP24 and MSGP25 of the Local Plan for Gateshead.

30

Prior to the first occupation of the development a fully detailed scheme for the landscaping and habitat creation measures of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details and proposed timing of hard and soft landscaping, proposed trees and shrubs, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.

Reason

To maintain the amenity and biodiversity value and function of the soft landscaping and ecological areas in the interests of visual amenity and ecology in accordance with National Planning Policy Framework and policies CS15, CS18, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

31

The scheme shall be implemented in accordance with the details approved under condition 30 and retained/maintained thereafter.

Reason

To maintain the amenity and biodiversity value and function of the soft landscaping and ecological areas in the interests of visual amenity and ecology in accordance with National Planning Policy Framework and policies CS15, CS18, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

32

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

Reason

To maintain the amenity and biodiversity value and function of the soft landscaping and ecological areas in the interests of visual amenity and ecology in accordance with National Planning Policy Framework and policies CS15, CS18, MSGP25, MSGP36 and MSGP37 of the Local Plan for Gateshead.

33

The glazed windows of the development shall be the same or of better acoustic performance (Rw values) as stated in summary tables 13, 14 and Figure 1 of the noise and vibration impact assessment report (Apex Consulting, Ref: 8810.3, Revision A, 8th June 2021).

Reason

To safeguard residential amenity in accordance with National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

34

Prior to the first occupation of each block sound insulation testing and assessment of internal noise levels upon completion of the block shall be undertaken to ensure that they achieve acceptable internal noise levels as stated in Table 1 of the noise and vibration impact assessment report (Apex Consulting, Ref: 8810.3, revision A, 8th June 2021). The details shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each block.

Reason

To safeguard residential amenity in accordance with National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

35

AD-F system 3 decentralised continuous mechanical extract (dMEV) fans shall be implemented across all apartments prior to their first occupation.

Reason

To safeguard residential amenity in accordance with National Planning Policy Framework

and policies CS14 and MSGP20 of the Local Plan for Gateshead.

Any additional comments on application/decision:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations: Off-site ecological mitigation to address the net loss of on-site habitat.

2) That the Service Director of Legal and Democratic Services be authorised to conclude the agreement.

3) That the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, delete, vary and amend the planning conditions as necessary.

4) And that the conditions shall include: The report sets out the required conditions, with the precise wording to follow as an update report.

- In accordance with approved plans
- Time limit to implement
- Demolition and Construction Method Plan (DCMP) approval
- DCMP implementation
- Land stability approval
- Land stability implementation
- Contamination remediation implementation
- Unexpected contamination
- Final drainage scheme for approval
- Final drainage scheme implementation
- Biodiversity method statement approval
- Biodiversity method statement implementation
- Visibility splays approval
- Visibility splays implementation
- Final highway design and layout approval
- Final highway design and layout implementation
- Lighting scheme approval
- Lighting scheme implementation
- Cycle storage strategy approval
- Cycle storage strategy implementation
- Travel plan approval
- Travel plan implementation
- Materials approval
- Materials implementation
- Landscaping approval
- Landscaping implementation
- Landscaping maintained
- Glazing specification implemented
- Undertake post completion sound insulation testing approval
- Implement extraction system

Date of Committee: 19 January 2022

Application Number and Address: DC/21/01094/FUL Ryder Vans Fell Bank Birtley DH3 2SP	Applicant: Mr Stevens				
Proposal: Proposed external alterations to existing industrial unit (supporting information received 13/12/2021).					
Declarations of Interest: <table border="1" data-bbox="81 629 1498 792"> <thead> <tr> <th data-bbox="81 629 748 674">Name</th> <th data-bbox="748 629 1498 674">Nature of Interest</th> </tr> </thead> <tbody> <tr> <td data-bbox="81 674 748 792">Councillor Hazel Weatherley</td> <td data-bbox="748 674 1498 792">Personal</td> </tr> </tbody> </table>		Name	Nature of Interest	Councillor Hazel Weatherley	Personal
Name	Nature of Interest				
Councillor Hazel Weatherley	Personal				
List of speakers and details of any additional information submitted: Margaret Johnson spoke in objection to the application Huw Teasdale spoke in favour of the application					
Any additional comments on application/decision: <p>That permission be GRANTED RETROSPECTIVELY subject to the following conditions and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary.</p> <p>1 The development shall be carried out in complete accordance with the approved plan(s) as detailed below - 1000 Rev P02 1010 Rev P02 1110 Rev P02 1150 Rev P02 1160 Rev P02 29310 Rev P02 Design and Access Statement</p> <p>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.</p> <p>2 The development hereby permitted shall be constructed entirely of the materials detailed in the application form.</p>					