

Committee Report

Application No:	DC/21/00153/COU
Case Officer	David Morton
Date Application Valid	27 April 2021
Applicant	c/o Agent
Site:	Former Evans Halshaw Car Showroom Tyne Street Blaydon NE21 4JB
Ward:	Blaydon
Proposal:	Proposed part-demolition of existing car showroom, formation of new drive through lane, amendments to car parking arrangements and provision of new hard and soft landscaping; resulting in the creation of two commercial units (Class E[a] or Class E[b]) (amended 10/08/21, 06/12/21 and 24/01/22).
Recommendation:	GRANT
Application Type	Change of Use

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

The application relates to the site of a former, recently vacated, Evans Halshaw car showroom located to the north of Bridge Street, Blaydon.

1.2 The application site has a total area of approximately 0.3 hectares and is located approximately 400 metres to the west of Blaydon District Centre, in an edge-of-centre location. It is the site of the former Evans Halshaw car showroom and currently includes the vacant showroom unit and associated parking areas.

1.3 The site is bounded by a Shell Petrol Filling Station (PFS) to the east, the B6317 Bridge Street to the south, Co-operative Funeral Centre and associated car park to the west and railway lines to the north.

1.4 Access is currently taken from the B6317 Bridge Street on the southern site boundary (in only). Egress is through the adjacent PFS site to the east and directly onto Blaydon roundabout, located just to the south-east of the site, where traffic leaving the site and the PFS gives way to the traffic on the circulatory carriageway.

1.5 DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the part-demolition of existing car showroom, formation of a new drive through lane, amendments to car parking arrangements and provision of new hard and soft landscaping. The

development would result in the creation of two commercial units to use used for either of the purposes;

- Class E[a] display or retail sale of goods, other than hot food; or
- Class E[b] sale of food and drink for consumption (mostly) on the premises.

1.6 The application proposes the demolition of 158sqm. of the existing building's total 486sqm floorspace. This demolition is from the central section of the building resulting in the formation of two self-contained units one of which would have a drive thru lane.

1.7 It is proposed for the units to be made good with cladding to match the existing building and the addition of two serving 'pods' totalling 10 sqm of new floorspace. The total gross internal floorspace for proposed Class E uses is 318 sqm, with one unit of 170 sqm and the other of 148sqm.

1.8 The application also proposes the creation of areas of landscaping, a carpark comprising of 32 spaces, electric vehicle charging space, cycle parking, loading/servicing bays and outside seating areas.

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

- Planning Statement;
- Retail Sequential Test & Impact Assessment; and
- Transport Assessment & Travel Plan.

1.10 PLANNING HISTORY

The relevant planning history of the application site summarised as follows;

- 00821/97; Planning permission granted for 'Erection of car showroom and garage with associated car parking and external vehicle display area.' Date; 08 September 1997.
- 01017/97; Planning permission granted for 'Erection of car showroom and garage with associated car parking, external used car sales display area and construction of access to classified road (revised application).' Date; 05 November 1997.
- 01266/97; Planning permission granted for 'Erection of car showroom and garage with associated car parking and vehicle display area and construction of access to classified road (revised application).' Date; 02 February 1998.
- DC/05/01468/FUL; Planning permission granted for 'Recladding of car showroom.' Date; 08 November 2005.

2.0 Consultation Responses:

None

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development

Management Procedure) Order 2015. A total of six responses have been received; one letter of support and five letters of objection, including one objection from a Ward Councillor (Councillor Malcolm Brain).

3.2 A summary of objections is set out below;

- The development would lead to issues with vehicle access and road safety;
- The proposed development would lead to highway safety issues at an already busy roundabout;
- The proposal would lead to an increase in traffic leaving the PFS;
- There is no indicate as to what the units will be used for;
- The increase in traffic using the PFS to leave the site would impact on highway safety;
- There is potential for queuing into the site to 'back up' to the roundabout;
- The proposed development would result in the creation of litter; and
- There is already a proliferation of hot food takeaways in the area and this proposal should be resisted.

3.3 A summary of the letter of support is set out below;#

- The proposed development would bring extra footfall and would benefit existing businesses surrounding the site.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS7 Retail and Centres

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

MSGP7 Retail and Leisure Impact Assessment

MSGP15 Transport Aspects of Design of Dev

MSGP20 Land Contamination/Stability

MSGP20 Land Contamination/Stability

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment:

- 5.1 The main planning issues in this case are considered to be the principle of development and the impact on design, amenity, highways, contaminated land, CIL and other material planning considerations.
- 5.2 PRINCIPLE OF THE DEVELOPMENT
- 5.3 Retail Policy/Sequential Test
The site in question is marginally on the edge of Blaydon District Centre and the proposal is for the creation of two Class E uses. The total gross internal floorspace for proposed Class E uses is 318 square metres, with one unit of 170 sqm and the other of 148 sqm - which is a reduction of 158sqm of the building's total 486 sqm floorspace.
- 5.4 One unit will be for Class E[a] display or retail sale of goods, other than hot food; and one unit will be Class E[b] sale of food and drink for consumption (mostly) on the premises.
- 5.5 The proposal is below the threshold for considering retail impact as set out in policy MSGP7. Policy CS7 and the NPPF require a sequential test to be undertaken to consider the availability, suitability and viability of alternative in-centre sites within the catchment of the proposal. The applicant has undertaken a sequential test on the basis of the uses proposed which are intended to primarily serve passing visitors using the highway network (A695/B6317) - the drive-through element of the proposal is intrinsic to the business model and ensures that the redevelopment of this vacant site is viable. The sequential assessment considers alternative opportunities in the main nearby district centres (Blaydon and Ryton).
- 5.6 In terms of Blaydon Centre a number of vacant units have been identified, assessed and discounted on the basis of being unsuitable. Whilst only Units 16 and 19 have sufficient unit floorspace to accommodate the proposed units, none of the currently vacant units have sufficient space to accommodate the drive-through element and road circulation space required. In this case, it is considered that there are currently no in centre opportunities to accommodate the proposed development as a whole.
- 5.7 In terms of Ryton Centre the assessment identified no potential opportunities either in terms of units or sites. Whilst the Council's last survey of the centre (December 2021) identified two vacant units, both of these are smaller than either of the units proposed.
- 5.8 Based on the above, it is considered that the proposed development is acceptable, subject to a condition limiting the use of the premises to those particularised in the application (Class E[a] and Class E[b] (Condition 3)) and in accordance with the NPPF and Policies CS7 and MSGP7 of the Local Plan for Gateshead.

5.9 DESIGN

- 5.10 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.
- 5.11 The proposed development allows for an appropriate level of planting, would reduce the amount of built development and would parts of the existing hardstanding. It is considered that the proposed development takes on a commercial form which is consistent with the site, surrounding uses and its edge-of-centre location. The overall form of the development is considered to be acceptable.
- 5.12 It is considered necessary to condition the submission of final materials (Conditions 4 and 5) and final details, implementation and maintenance of the landscaping scheme (Condition 6 - 8).
- 5.13 Subject to the above conditions, it is considered that the application would deliver an appropriate design solution given the nature and context of the site. The development would fully accord with the aims and requirements of the NPPF, Policy CS15 and MSGP24 of the Local Plan for Gateshead and the Gateshead Placemaking SPD.
- ## 5.14 HIGHWAYS
- 5.15 **Traffic Impact/Highway Safety**
The planning application has been supported by a Transport Assessment (TA) and a Travel Plan (TP), as requested by the Council. The submitted information has been subject to a number of amendments and reviews, Officers are comfortable that the level of information submitted is appropriate.
- 5.16 Throughout the assessment of the application, amendments were made to the proposed development to address officer concerns, the TA now describes Unit One as a coffee shop with a drive through facility and Unit Two as a food and drink unit with no drive through facility. As a result of the changes made officers are satisfied that the proposals are unlikely to result in queuing from the development backing onto the highway.
- 5.17 The TA includes surveys from similar developments and detailed traffic modelling of the part signal controlled Blaydon Roundabout, access and egress to the proposals. The submitted information has been verified by the Council's on-call consultants and concludes that the proposals will not have a severe impact on the operation of the roundabout. It is considered, based on the information submitted and following review by Officers, that while the proposed development would lead to an increase in traffic leaving the PFS; this would not lead to highway safety concerns.

5.18 The only residual safety concern is for the potential of a shunt type accident involving vehicles waiting to turn right into the site from B6317 Bridge Street close to the exit of Blaydon roundabout. The traffic modelling shows a mean maximum queue of between 5 and 6 vehicles during the peak periods. It is accepted that the likelihood of the queue extending to the circularity flow on the roundabout is low. Furthermore, forward visibility around this part of the highway network is good and any right turning queue would be clearly seen by approaching vehicles. Also there are existing yellow box markings in front of the site access which should keep this area clear. Therefore, although the residual risk cannot be wholly eliminated on balance it is considered that the application is acceptable from a transport perspective.

5.19 Parking/Servicing/Layout

The internal layout has been amended following discussion with Officers, it is now considered that the layout is broadly acceptable. The elimination of one of the drive thru lanes and reorientation of the other one has significantly bettered the internal site arrangement. Further, the proposed levels of parking are considered to be appropriate for the nature of the uses proposed.

5.20 Further to the above, conditions are required pertaining to;

- Final details of the proposed access, ramp, and retaining walls (Conditions 9 and 10);
- Final details of the proposed pedestrian access and internal pedestrian crossing point (Conditions 11 and 12);
- Submission of a servicing and refuse collection strategy (Conditions 13 and 14);
- Final details of cycle parking (Conditions 15 and 16);
- Final details of motorcycle parking (Conditions 17 and 18);
- Final details of EV charging (Conditions 19 and 20); and
- Final details of internal traffic calming measures (Conditions 21 and 22).

5.21 Travel Plan

A TP has been submitted in draft form, this is considered to be broadly acceptable, however the final TP needs to be secured by planning condition (Condition 23 and 24).

5.22 Subject to the above condition, it is considered by Officers that the development complies with the aims and requirements of the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead. aims and objectives of the NPPF and policy CS13 of the Council's CSUCP.

5.23 AMENITY

The application site is located within a largely commercial area in an edge-of-centre location, there are no sensitive noise receptors within the immediate vicinity. This said, there are other commercial operations within the immediate area, however it is considered that neither physical form of the development nor its operation would have an unacceptable level of impact on adjacent businesses. It is considered that the proposal may result in some impact during construction, as such it is considered necessary to attach

conditions requiring the submission of a demolition and construction management plan ((DCMP) Conditions 25 and 26).

5.24 Based on the above assessment, it is considered that the development is acceptable from an amenity point of view and accords with the aims and objectives of the NPPF, Policies CS14 and MSGP17 of the Local Plan for Gateshead.

5.25 CONTAMINATED LAND

The application site has been assessed and inspected under the Council's Contaminated Land strategy and has not been classified as "contaminated land". However, the site situated on potentially contaminated land based on previous historic uses, i.e. The site has been utilised for continuous industrial/commercial use since at least 1856 with the site containing former buildings used as an iron foundry, iron works and engineering works for example before the site was cleared circa 1980s with the current site layout constructed in 1999.

5.26 Therefore, considering the above, planning conditions will be required to secure the submission of a Preliminary Risk Assessment, an intrusive site investigation with a Phase II Detailed Risk Assessment, and if required for remediation, Gas Monitoring and Verification Reports (Conditions 27 to 31).

5.27 Subject to the above condition, the development is considered to comply with the requirements of Policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.28 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 for retail warehouse development. The development is located within a charging zone with a levy of £0 per square metre for this type of development.

5.29 OTHER MATTERS

The following matters have been raised by objectors;

- Highway safety - these matters have been fully considered and addressed within the main body of the report;
- Use - it was suggested that the end user hasn't been specified. Firstly, this isn't correct the potential end users have been provided by the applicant, and secondly, this isn't a material planning consideration;
- Litter - it is accepted that the form of use proposed, however it is considered though an appropriate delivery/refuse collection strategy these matters can be limited as far as possible (Condition x); and
- Health - neither of the proposed uses are considered to form a hot food takeaway use, as such they cannot be assessed under the Council's Hot Food Takeaways SPD.

6.0 CONCLUSION

6.1 The proposed development would result in the redevelopment of previously developed land. The application would result in the creation of a development which is appropriate in the context of the application site and the wider area. The development is considered to comply with the aims and objectives of the NPPF, and the relevant policies of the Local Plan for Gateshead.

7.0 Recommendation:

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

L020080-004B Proposed Floor Plans and Elevations

L020080-005 Proposed Bin Store

L020080-002E Proposed Site Plan

21-238-004.01 Highways Technical Note - Response to Highways Comments (21st Jan 2022)

21-238-003.02 Transport Assessment with Appendices (December 2021)

Preliminary Horizontal & Vertical Design (drawing number 21/238/TR/003 Rev A)

Swept Path Analysis of Servicing Vehicle (drawing number 21/238/ATR/004 Rev B)

Swept Path Analysis of Refuse Vehicle (drawing number 21/238/ATR/005 Rev B)

Swept Path Analysis of Fire Tender (drawing number 21/238/ATR/006 Rev A)

Swept Path Analysis of Large Car (drawing number 21/238/ATR/007 Rev A)

Swept Path Analysis of Drive Thru Route (drawing number 21/238/ATR/008)

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the units hereby approved shall only be used for uses falling within Class E(a) or Class E[b] as defined by Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Reason

In order to protect the vitality and viability of existing centres and in the interests of highway safety in accordance with the NPPF and Policies CS7, CS13, MSGP7, and MSGP15 of the Local Plan for Gateshead.

4

The development hereby approved shall not progress above damp proof course until an external materials schedule has been submitted to and approved in writing by the Local Planning Authority and (where requested) 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.

5

The development hereby approved shall be undertaken in accordance with the materials schedule approved at condition 4.

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.

6

Notwithstanding the submitted plans, prior to the first use of either unit hereby permitted a final landscaping scheme and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

Report

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.

7

The final landscaping scheme approved under Condition 6 shall be implemented in full in accordance with the approved timetable for implementation.

Report

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.

8

The landscaping scheme approved under Condition 6 shall be maintained in accordance with British Standard 4428 (1989) 'Code of Practice for General Landscape Operations' for a period of 5 years commencing on the date of planting and during this period any trees which die, become diseased or are removed shall be replaced in the first subsequent planting season (October to March) with others of a similar size and species.

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.

9

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of the amended site access, ramp, retaining walls (including a timetable for implementation) have 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.

10

The site access, ramp and retaining walls details approved under Condition 9 shall be completed in full accordance with the approved details and 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.

11

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of the proposed pedestrian access and internal crossing point (including a timetable for implementation) have 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.

12

The proposed pedestrian access and internal crossing point details approved under Condition 9 shall be completed in full accordance with the approved details and 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

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until a servicing plan for both proposed unit units has been submitted to and approved in writing by the Local Planning Authority. This shall clearly set out but not be limited to:

Delivery times

Routing within the site

Maximum size of vehicle

Signage

Number and location of private and public bins

Frequency of litter collections (both of public bins and commercial storage)

Enforcement monitoring and control

Reason

In order to avoid nuisance to the occupiers of adjacent properties and in the interests of highway safety in accordance with the NPPF and policies CS13, CS14, MSGP15 and MSGP17 of the Local Plan for Gateshead.

14

The development shall be serviced in full accordance with the servicing plan approved under Condition 13 for the lifetime of the development.

Reason

In order to avoid nuisance to the occupiers of adjacent properties and in the interests of highway safety in accordance with the NPPF and policies CS13, CS14, MSGP15 and MSGP17 of the Local Plan for Gateshead.

15

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details, including number, location and form, of long and short-stay cycle parking provision and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

16

The long and short-term cycle parking provision approved under Condition 15 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

17

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details, including number, location and form, of motorcycle parking spaces, associated anchor point and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

18

The motorcycle parking approved under Condition 17 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

19

Notwithstanding the approved plans, prior to any works associated with the carpark taking place, final details of electric vehicle charging spaces/points, (including number, location, form and passive infrastructure) has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

20

The electric vehicle charging spaces/points approved under Condition 19 shall be completed in full accordance with the approved details and timetable for implementation.

Reason

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

21

Notwithstanding the approved plans, neither unit hereby approved shall be open to the public until the final details of internal traffic calming measures (including a timetable for implementation) have 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.

22

The proposed internal traffic calming measures approved under Condition 21 shall be completed in full accordance with the approved details and 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.

23

No later than six months prior to the occupation of the bulky goods unit hereby permitted a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. 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.

Clearly defined objectives, targets and indicators.

Details of proposed measures.

Detailed timetable for implementing measures.

Proposals for maintaining momentum and publicising success.

A 5 year review programme of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Commitment to use the councils preferred survey/monitoring database (currently Jambusters).

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 order to promote sustainable travel and accord with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

24

The Travel Plan approved under Condition 23 shall be wholly implemented in accordance with the approved details.

Reason

To ensure sustainable travel and in accordance with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

25

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. a dust management plan
- b. a noise management plan
- c. 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 1800 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.

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.

26

The development shall be implemented in accordance with the Demolition and Construction Management Plan measures approved at condition 25.

Reason

In order to avoid nuisance to the occupiers of adjacent properties and in the interests of highway safety during the demolition and construction phases of the development in accordance with the NPPF and policies CS13, CS14, MSGP15 and MSGP17 of the Local Plan for Gateshead.

27

Prior to the commencement of the demolition hereby approved, a Preliminary Risk Assessment and a 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 CS14 of the CSUCP and Policy MSGP20 of MSGP.

28

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 CS14 and MSGP20 of the Local Plan for Gateshead.

29

The details of remediation measures approved under condition 28 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 CS14 and MSGP20 of the Local Plan for Gateshead.

30

Following completion of the remediation measures approved under condition 28 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 CS14 and MSGP20 of the Local Plan for Gateshead.

31

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.

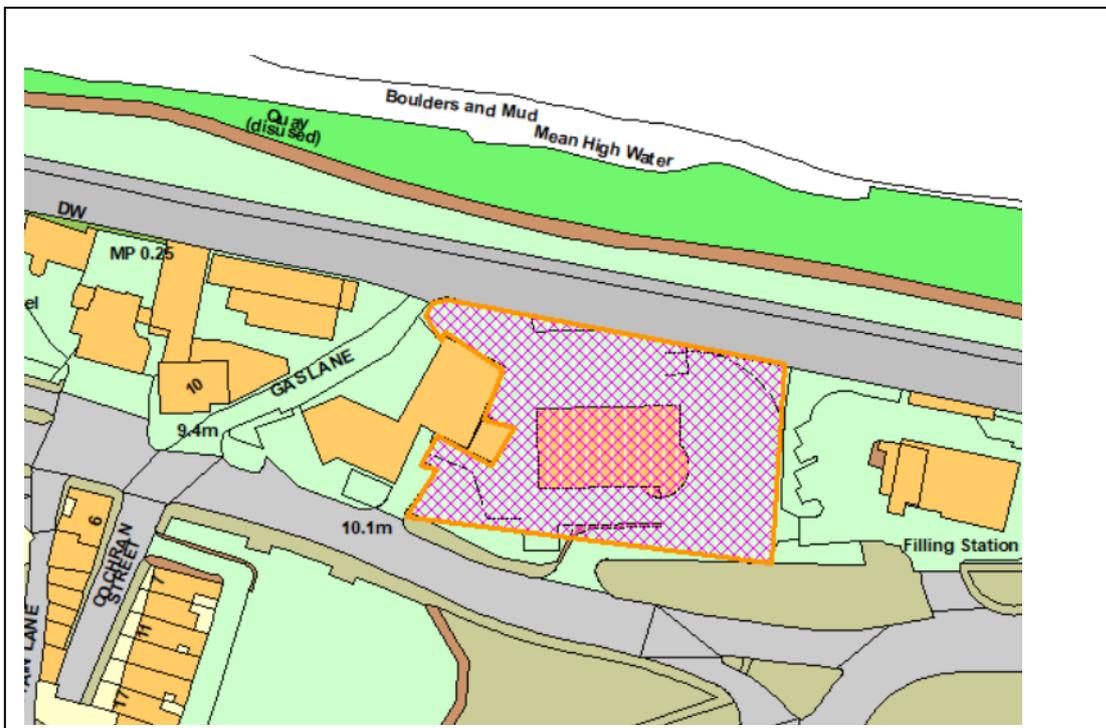
Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

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 CS14 and MSGP20 of the Local Plan for Gateshead.



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