

Committee Report

Application No:	DC/21/01178/FUL
Applicant	Mr Edward Burton & David Abercrombie
Date Application Valid	25 October 2021
Site:	Land East Of Woodside Lane And North Of A695
Ward:	Ryton Crookhill And Stella
Proposal:	Variation of conditions 1, 3 and 28 of application reference DC/17/01376/FUL (Proposed erection of 267 dwellings including associated access, infrastructure and open space (amended 22/10/18 and 24/01/19)) for the amendment to Phasing and Masterplan and substitution of house types on 97 plots (amended and additional information 07/03/22).
Recommendation:	GRANT SUBJECT TO A SECTION 106 AGREEMENT
Application Type	Full Application

1.0 The Application:**1.1 BACKGROUND**

Ryton has been identified by Gateshead Council as a Village Growth Area and Land at South Ryton has been allocated (policies CS4 and GV6 of the Local Plan) for the development of up to 550 new homes.

1.2 Land within the allocation was promoted through the Core Strategy as sites 285 (Bellway) and 287 (a) and (b) (Taylor Wimpey) (the allocations also include some third-party land).

1.3 Bellway Homes and Taylor Wimpey each submitted separate detailed planning applications for East and West Ryton (Bellway Ref: DC/16/00320/FUL) (Taylor Wimpey Ref: DC/17/01376/FUL). These applications were developed in conjunction with the other. Further, the assessment and decisions on the above applications were taken concurrently by the Local Planning Authority, following consideration by the Planning and Development Committee; the applications were approved.

1.4 Both above applications have commenced on site and remain extant.

1.5 DESCRIPTION OF SITE

Ryton is located within the west of the borough of Gateshead, approximately 12km from both Gateshead centre and Newcastle city centre.

1.6 The application site lies to the south of Ryton village, extends across approximately 13.4 hectares in total and was formerly used for agricultural

purposes. The site has a prominent position over Ryton owing to its high level with long range views over the village centre and surrounding fields.

- 1.7 The application site is divided into two parcels of land. The larger parcel of the site is located to the west running adjacent to both Woodside Lane to the west and the A695 to the south. The application also includes a smaller detached parcel of land in the south east corner, adjacent to the Stargate Industrial Estate and south of the Bellway portion of the Village Growth Area.
- 1.8 The larger parcel of land is bounded by housing to the north. A historic dismantled railway line runs directly to the east of the site forming a wagonway, which is a public right of way as well as a green corridor between the application site and Bellway development site. The A695 runs adjacent to the southern edge of the site with agricultural land beyond. Abutting the western boundary of the site is a pond located adjacent to Woodside Lane.
- 1.9 As referenced, the site was formerly located within the Green Belt but now forms part of a housing allocation under the Local Plan for up to 550 homes.
- 1.10 **DESCRIPTION OF APPLICATION**

The application proposes the variation of planning conditions attached to planning approval DC/17/01376/FUL. More specifically, the application proposes the amendments to:

 - Condition 1 (Approved Plans) - the application proposes amendments to the site layout, housetypes and the approved Masterplan;
 - Condition 3 (Phasing) - the application proposes amending the condition to allow an increased build rate and changes to sequencing; and
 - Condition 28 (Link Road) - the application looks to amend the delivery timing for the proposed 'link road' between the application site and the East Ryton Bellway development (285).
- 1.11 The changes set out above are necessitated by the introduction of Miller Homes as an additional developer.
- 1.12 The amendments would allow Miller Homes to deliver 97 homes within the Taylor Wimpy (287 (b)) portion of the Village Growth Area. Miller Homes would deliver 97 homes. Taylor Wimpey would deliver the remaining 170 homes.
- 1.13 The introduction of Miller Homes has resulted in the need to change individual plot designs i.e. plot substitutions and phasing.
- 1.14 There are no significant changes to road patterns, drainage, landscape design, play areas or any other design elements of the proposal. There is no change in the main access arrangement or the number of units across the site.

- 1.15 As such, the application still seeks planning permission for the residential development of 267 dwellings including associated access, infrastructure and landscaping on two parcels of land within the Ryton Village Growth Area.
- 1.16 The dwellings would be two and two and a half storeys. The development proposes that 92 of the dwellings would be detached, 100 semi-detached and 75 terraced; 22 dwellings would have five bedrooms, 51 dwellings would have four bedrooms, 149 would have three bedrooms and 45 would have two bedrooms.
- 1.17 The main areas of open space would be located in the southern and northern areas of the site, with smaller areas of open space distributed around the site. The main SuDS areas would be located to the north and north west of the application site.
- 1.18 The following information has been submitted with the application:
- Affordable Housing Statement
 - Arboricultural Impact Assessment
 - Archaeological Desk Based Assessment
 - Archaeological Geophysical Survey
 - Design and access statement
 - Draft S106 heads of terms
 - Flood Risk Assessment
 - Foul sewerage, surface water drainage & utilities assessment
 - Ground investigation survey, including coal mining risk assessment
 - Masterplan and Phasing Document
 - Noise impact assessment
 - Statement of Community Involvement
 - Sustainability Statement
 - Transport Assessment
 - Interim Travel Plan
- 1.19 **PLANNING HISTORY**
The site forms part of the larger housing allocation which has been promoted through the various rounds of consultation for the Core Strategy and Urban Plan for Gateshead and Newcastle upon Tyne (and has been removed from the Green Belt).
- 1.20 The relevant planning history of the entire Village Growth Area is set out below:
- Taylor Wimpy (allocation / site reference 287a and b)
 - DC/17/01376/FUL; Planning permission approved for 'Proposed erection of 267 dwellings including associated access, infrastructure and open space (amended 22/10/18 and 24/01/19).' Date; 29 January 2021.
 - DC/21/00439/NMA; Non-material amendment approved for 'Proposed non-material amendment of application

- DC/17/01376/FUL to allow amendment to wording of Condition 1 (Approved Plans) facilitating amendment to layout, house type elevations, and wording of Condition 35 (EV Charging) (additional information received 05/05/21 and amended 14/05/21).' Date; 18 June 2021.
 - DC/21/01283/NMA; Non-material amendment approved for 'Non-material amendment of planning approval DC/17/01376/FUL to allow re-wording of Conditions 4 (Hedgerows), 7 (Tree Protection), 8 (Tree Protection), 11 (Drainage Construction), 13 (Drainage Management), 15 (EMS), 17 (Lighting), 21 (Surface Treatment), 23 (Boundary Treatment), 27 (Link Road), 31 (Cycle Storage), 33 (Bin Stores), 39 (CMP) and 41 (Noise Mitigation).' Date; 11 November 2021.
 - DC/21/01283/NMA; Non-material amendment approved for ' Non-material amendment of planning approval DC/17/01376/FUL to allow re-wording of Conditions 4 (Hedgerows), 7 (Tree Protection), 8 (Tree Protection), 11 (Drainage Construction), 13 (Drainage Management), 15 (EMS), 17 (Lighting), 21 (Surface Treatment), 23 (Boundary Treatment), 27 (Link Road), 31 (Cycle Storage), 33 (Bin Stores), 39 (CMP) and 41 (Noise Mitigation).' Date; 11 November 2021.
- Bellway Homes (allocation site reference 285)
 - DC/16/00320/FUL; Planning permission granted for 'Proposed erection of 283 dwellings including associated access, infrastructure and open space including diversion of public rights of way (amended 22/12/17 and 17/10/18 and additional information and amended plans received 24/01/19).' Date; 29 January 2021.
 - DC/21/00615/NMA; Non-material amendment approved for 'Non-Material Amendment: Variation of Condition 1 (Approved Plans) of Planning Permission DC/16/00320/FUL.' Date; 21 May 2021.
 - DC/21/01367/NMA; Non-material amended approved for 'To planning application DC/16/00320/FUL to allow the update of the wording of the condition 50 following the completion of supplementary Gas Risk Monitoring and Gas Risk Assessment.' Date; 14 January 2021.
 - DC/22/00196/NMA; Non-material amendment approved for 'Proposed non-material amendment of planning application DC/16/00320/FUL to allow amendment to wording of Condition 24 (Site Access).' Date; 25 March 2022.
 - DC/22/00043/106; Section 106A application under consideration for 'Deed of Variation of Section 106 - Bus Service Provision.'

2.0 Consultation Responses:

Natural England	No objection.
National Highways	No objection.

Coal Authority condition(s).	No objection, subject to
Northumbria Water condition(s).	No objection, subject to
Northumbria Police	No objection.
Ramblers Association	No response.
Disability Equality Service	No response.
DEFRA	No response.
Bridleway and Horse Association	No response.
Nexus	No objection.
Go-Ahead Group	No response.
Stagecoach NE	No response.
Arriva PLC	No response.
Tyne and Wear Archaeology	No objection.
Northumberland County Council	No objection.
T&W Fire and Rescue	No objection.
CE Electric UK	No response.

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 13 objections have been received and are summarised as follows:

- Works are ongoing before the end of the notification process;
- Schools cannot cope with an influx of pupils;
- The proposal would remove nesting opportunities for birds;
- The land in question should not have been removed from the Green Belt;
- The proposal would result in highway safety issues;
- The proposal would impact upon ecology;
- The application is not supported by a construction management plan which manages traffic;
- The construction process will impact on amenity in terms of noise and dust;
- The development should be constructed on brown field land;

- No bungalows are being built as part of the development;
- There is insufficient infrastructure to accommodate new residents e.g. GPs; and
- The proposed alternative bus service would not be used by residents owing to its routing.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS1 Spatial Strategy for Sustainable Growth

CS4 Spatial Strategy - Rural/Village Area

CS5 Employment-Economic Growth Priorities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

GV6 Ryton

MSGP9 Housing Sites Allocation

MSGP10 Accessible and Adaptable Dwellings

MSGP11 Housing for Specific Groups

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP25 Conservation/Enhancement Heritage Assets

MSGP27 Archaeology

MSGP29 Flood Risk Management

MSGP32 Maintain/Protect/Enhance Green Infrast.

MSGP33 Countryside/Landscape Protection

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP40 Provide/Enhance Open Space/Sport/Rec

GPGSPD Gateshead Placemaking Guide SPG

5.0 Assessment:

- 5.1 The main planning issues relating to this proposed development are considered to be: the principle of housing on this site; the impact on existing trees and hedges on and around the site; the impact on the landscape; flood risk and drainage; the possible impact on ecology on the site and in the area; whether the proposed design of the development is acceptable; transport issues; the impact on the living conditions of the future occupiers of the proposed housing and existing residents near the site; the impact on archaeology remains on the site; the possible contamination of the site; children's play facilities; education impacts; site specific policy compliance; and any other issues arising.
- 5.2 **PRINCIPLE OF DEVELOPMENT AND MASTERPLAN**
Policy CS1 of the Local Plan sets out the spatial strategy for sustainable growth. Given population and economic growth there is a need to plan for 30,000 homes within Gateshead and Newcastle up to 2030. To plan for this growth has meant allocating land for new housing development in villages including Ryton.
- 5.3 Policy CS10 sets out a net provision of 8,500 new homes in Gateshead to contribute to the 30,000 total up to 2030.
- 5.4 The application site forms part of a wider site allocated in the Local Plan, under policies CS4 and GV6 for up to 550 homes. No part of the site is located within the Green Belt.
- 5.5 Policy GV6 also requires that development takes place in accordance with an approved masterplan and phasing plan. This follows on from policy CS4 which requires the approved masterplan and phasing plan to: demonstrate a

comprehensive, phased and coordinated approach to site development; set out how necessary infrastructure, and the strategic infrastructure identified for the site in the Infrastructure Delivery Plan will be delivered on a phased basis; set out build rates and triggers for infrastructure and demonstrate how each phase of the development is sustainable and deliverable.

- 5.6 The supporting text to Policy CS4 (paragraph 8.10) is very clear as to what is required in regard to a masterplan and phasing plan, stating:
"... Given the potential impact that the new development will have on the existing villages in terms of their infrastructure, facilities and services it is important that it is masterplanned. Village Growth Area sites, as defined in Section 5 of the Plan are required to be masterplanned together where they adjoin each other regardless of ownership. Phasing plans will be required which set out the triggers for the provision of necessary infrastructure and legal agreements will need to be put in place to secure delivery. Masterplans will be prepared by the landowner/developer(s) in consultation with each Council and must be approved as part of the planning application process. The masterplanning and the development requirements of these sites are set out in policies in the Sub Areas and Site Specific policies in Section 5 of the Plan."
- 5.7 The applicant has provided a Masterplan and Phasing Document ('the Masterplan'). The submitted Masterplan seeks amendment to the Masterplan approved as part of planning approval DC/17/01376/FUL. The Masterplan still indicates that the application would be constructed over four phases. The first phase relates to the highway and drainage infrastructure delivery, including the proposed site access onto Woodside Lane; this phase does not include the construction of any houses. Phases two and three relate to land towards the central part of the site. The fourth phase of the site would take place within the smaller part of the application site (to the south east). The Masterplan shows how the site could ultimately be developed with the site-specific infrastructure. Any necessary off-site infrastructure would be delivered through condition(s), S106 and/or the Community Infrastructure Levy (CIL) the proposed timings of which are set out as part of the phasing plan.
- 5.8 The changes to the Masterplan and phasing are proposed to allow Miller Homes to build out 97 dwellings within Phase 2 of the development. The amendments are sought in order to secure an accelerated delivery of both new homes and the required infrastructure. The proposed amendments also necessitated a review of the delivery of the public transport and active modes of travel provision for the whole allocation; this is discussed in more detail within the highways section of the report.
- 5.9 It should be noted that the Masterplan covers not only this application site but also the majority of the remaining Village Growth Area. A Masterplan was approved as part of planning approval DC/16/00320/FUL; the Masterplan remains unchanged insofar it relates to the Bellway portion of the site. Together the two sites cover the majority of the allocated wider Village Growth Area, site GV6. However, an area of circa 0.68ha to the south and an area of circa 0.46ha to the west of site GV6 are omitted from the Masterplan and the

two planning applications. These two relatively small areas equate to approximately 4% of the total area of site GV6.

- 5.10 In considering the current application, the submitted Masterplan can only be 'binding' and therefore afforded weight insofar as it relates to the application site i.e. the current application cannot secure works on the wider Village Growth Area (the remainder of which is subject to a separate planning approval (DC/16/00320/FUL)). If planning permission was to be granted a condition could be attached requiring the development in accordance with the submitted Masterplan (Condition 2).
- 5.11 Based on the above, it must be concluded that the development technically does not comply with the requirements of Policies CS4 and GV6. This view is formed for two reasons: firstly, that the submitted Masterplan does not cover the entirety of the Village Growth Area allocation and; secondly, that the application does not cover the entirety of the Village Growth Area and as such the Masterplan cannot be binding beyond the application boundaries.
- 5.12 Therefore, in accordance with section 70 (2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, consideration will need to be given whether material considerations exist which indicate that the application should be granted despite not according with development plan policies. Would the benefits of the development, based on material planning considerations, outweigh the harm caused as a result of the non-compliance with Policies CS4 and GV6.
- 5.13 AFFORDABLE HOUSING
- 5.14 Policy CS11 of the Local Plan requires the provision of 15% affordable homes on all developments of 15 or more dwellings subject to development viability.
- 5.15 The proposed affordable housing remains the same approved as part of planning approval DC/17/01376/FUL; the application proposes 15% affordable homes (40 units). Of these affordable homes, 27 are to be allocated for affordable rent and 13 for intermediate tenure. Officers consider that this allocation is acceptable and subject to a Section 106 Agreement to ensure that these properties are kept affordable in perpetuity, it is considered that the application would be in accordance with policy CS11 of the Local Plan.
- 5.16 OTHER HOUSING POLICIES
- 5.17 Housing type and density
The proposed development includes 222 houses (out of a total of 267) which incorporate three or more bedrooms. In addition, all dwellings include private garden areas. It is therefore considered that the development would meet the requirements of policies CS11 and GV2 of the Local Plan in providing a majority of family housing and would make an important contribution to the aim of a minimum of 16,000 new homes having three or more bedrooms.

- 5.18 The density of the development would equate to approximately 34 houses per hectare. This would comply with the requirements of Paragraph 125 of the NPPF. In this case it is considered that the density of the development would assimilate well with the adjoining neighbourhoods. Further, density must be considered in context with the maximum housing numbers set out in policy GV6 of the Local Plan.
- 5.19 The Inspector within the report on the Local Plan stated that:
"... there may be benefit from a slightly higher number houses on the western part of the site and slightly fewer in the central and eastern parts than is shown in the development framework. Ultimately this is a matter for the masterplanning of the site."
- 5.20 The Masterplan submitted in support of the application has demonstrated that the density of development proposed is appropriate in the context of the wider GV6 allocation.
- 5.21 Residential space standards and housing mix
- 5.22 As a result of the current application, all 97 units proposed by Miller Homes i.e. those which are subject to plot substitutions are fully compliant with Policy MSGP10 and MSGP12 of the Local Plan, as all 97 plots are both Nationally Described Space Standards (NDSS) and 25% meet the requirements of Building Regulations, Approved Document M Category 2 - Accessible and Adaptable Dwellings (M4[2]).
- 5.23 The remaining 170 Taylor Wimpey plots are subject to an extant planning approval and no changes are proposed as a result of the current application, these units will remain in full accordance with the approved permission and as a result are not compliant with NDSS or M4(2).
- 5.24 During the determination of the detailed planning application DC/17/01376/FUL the preparation and adoption MSGP was being considered. The detailed application was determined on 29 January 2021 and the MSGP adopted on 1 February 2021.
- 5.25 The application was reported to Committee on 13 March 2019 and the Committee Report considered very clearly House Size, Wheelchair and Lifetime Homes. This report confirmed that the proposal complied with the Local Plan.
- 5.26 Following the grant of planning permission, work commenced on site and all 170 Taylor Wimpey plots are fully committed and programmed for completion and sale. It is the view of officers that the extant permission and the fact works have commenced on site and plots are committed are material considerations, it is also the view of officers that these considerations should be afforded significant weight.

5.27 Further to the above, it is considered that the development offers a significant improvement on the extant permission in that the 97 Miller Homes properties will be compliant with NDSS and a proportion will also be M4(2) compliant.

5.28 The development cannot be considered to fully comply with the requirements of Local Plan Policies MSGP10 and MSGP12. However, when considered in the context of the fallback position open to the applicant, the fact the units on site are fully committed and there is clear betterment compared to the extant permission it is considered that the proposed development remains acceptable.

5.29 TREES AND HEDGEROWS

5.30 Policy MSGP36 relates to woodland, trees and hedgerows and states that development that would damage or result in the loss of woodland, trees or hedgerow will only be permitted where it can be clearly demonstrated that the development cannot reasonably be located elsewhere, the need for development clearly outweighs any harm and harm can be reduced to acceptable levels.

5.31 The proposal includes the same areas of tree removal and retention and does not propose changes to the proposed landscaping plan except to accommodate plot landscaping works and the minor changes required for the new house types. Within the extant application, officers agreed with the submitted arboricultural assessment in regard to tree loss and a Hedgerow Management Strategy was submitted and conditioned as part of the decision.

5.32 The proposed works to trees and hedgerows has already been established as acceptable. This ensures that the harm is reduced to a minimum in accordance with Policies CS18 and MSGP36 of the Local Plan, subject to conditions pertaining to landscaping (Conditions 3 to 5) and tree protections measures (Condition 6).

5.33 IMPACT ON THE LANDSCAPE

5.34 Policy MSGP33 relates to countryside and landscape protection relates to areas of high landscape sensitivity which this site is not located within. However, proposals in general are expected to protect, conserve and where possible enhance landscape character and local distinctiveness, reflecting landscape sensitivity. In assessing the extant permission it was concluded that the proposal allows for high quality of landscaping and the minor material amendments to the Phasing Plan will ensure that this is retained in accordance with Policy MSGP33.

5.35 It is proposed for landscaping to be implemented within Phase 2 of the proposed development and continues to be delivered through Phases 3-4 within different areas corresponding to the areas of construction.

5.36 Given the above, it is considered that the proposed development has been laid out so to try and assimilate well to its landscape. The existence of the

woodland area to the south of the application site currently affords a level of screening. However, it is considered that the impact of the potential loss of this coverage, i.e. if the trees were to be removed, would not be so severe as to warrant refusal of the application.

5.37 Therefore, while it cannot strictly be concluded that the proposal would fully comply with the requirements of Policy GV6 it is considered by officers that the resultant harm of this non-compliance is minimal. Therefore, subject to conditions requiring the submission of the final version of the landscape strategy (Conditions 3 to 5), the application is considered to be acceptable in regard to landscape impact.

5.38 OPEN SPACE AND LANDSCAPING WITHIN THE SITE

5.39 The application included a large area of open space and landscaping along with SuDS features to the northern and central parts of the site along with smaller areas of green space throughout the site. The development proposes a total of 5.58ha of open space and in assessing the extant permission the scheme was identified as providing excellent access to green space and recreation.

5.40 In regard to open space and landscaping within the site as discussed above, a large area of open space and landscaping along with SuDS features would be created in the northern and central parts of the site. This would have a number of benefits including providing attractive green space for residents and being suitable for recreation. In addition, there are a number of other green spaces provided within the site. Whilst these smaller areas would have limited recreational value given their size, they would still provide attractive landscaped areas.

5.41 The application still proposes to 5.58ha of open space, Policy MSGP40 of the Local Plan require less open space per 1,000 residents than was previously required under the UDP policy.

5.42 The proposal continues to deliver play facilities as identified in the extant application and these areas will be highly accessible from all parts of the development. The play facilities provided would accord with part b of Policy MSGP40 of the Local Plan.

5.43 DRAINAGE AND FLOOD RISK

5.44 The extant permission was assessed against policies contained within the CSUCP in relation to drainage and flood risk. It was considered that the proposal was acceptable in both regards subject to the final design of the SuDS scheme.

5.45 Policy MSGP29 relates to flood risk management and states that flood risk assessments and drainage assessments should accord with the requirements within the flood risk and surface water management SPD. The SPD was adopted in 2017 and sets out the hierarchy in accordance with Policy CS17 of

the CSUCP. The extant proposal was assessed against the CSUCP and this hierarchy and policy MSGP29 reiterates this hierarchy. The proposal continues to deliver SuDS in accordance with Policy MSGP29 and allows for early delivery as part of the amended Phase 1.

- 5.46 Based on the above, it is again considered that subject to conditions (pertaining to the final design of the SuDS scheme (Conditions 7 - 12)) and based upon flood risk the drainage scheme proposed is acceptable. The proposed drainage solution is considered to have appropriate regard to the proposed Bellway development and the wider Village Growth Area and offers a workable solution for the application site.
- 5.47 It is considered that the application has appropriate regard to the requirements of NPPF and Policies GV6, CS4, CS17 and MSGP29 of the Local Plan for Gateshead.
- 5.48 IMPACT ON BIODIVERSITY
- 5.49 The proposed development site is located within 1km of several designated Local Wildlife Sites (LWS) including Stargate Ponds & Bewes Hill LWS (c. 450m), Path Head Quarry (c. 400m), Crookhill Pasture LWS (c. 550m) and The Folly LWS (c. 900m). Sections of the adjacent A695 Blaydon to Crawcrook By-Pass are being considered as a candidate LWS.
- 5.50 The application site is made up of smaller areas of mixed plantation woodland, scrub, semi-improved grassland and wetland.
- 5.51 The extant planning approval was considered against biodiversity policy within the former UDP and CSUCP, the application was supported by a number of ecological studies. Overall the site was considered to be of low ecological value, being dominated by arable land. However, this does not give appropriate consideration to the value of site for particular species/species groups, for example, farmland birds.
- 5.52 Policies MSGP36 and MSGP37 relate to woodlands, trees and biodiversity. It is considered that the main change to policies relating to biodiversity include the net gains in biodiversity. The approved application includes compensatory measures include creation, enhancement and long-term positive management 5ha of BAP priority heathland, acid grassland and wetland and 1.2km of native hedgerow at council owned land at Burdon Moor Local Wildlife Site.
- 5.53 Subject to the above measures (which will be secured via a S106 agreement) and appropriate conditions (Conditions 13 to 17), it is considered that the development complies with policies GV6, CS4, CS18, MSGP36 and MSGP37 of the Local Plan.
- 5.54 DESIGN AND LAYOUT
- 5.55 The layout and design of the extant permission was assessed against Policies within the CSUCP. As set out previously, the current application does not

propose any significant changes to the proposed layout such as the internal roads and housing numbers or density.

- 5.56 The proposed materials for the Miller Homes house types are similar to those previously proposed by Taylor Wimpey and approved as part of the extant permission. The elevational treatment includes black front doors/garages, white window frame, anthracite grey window frame, partial render and partial brick. There are areas of soft and hard landscaping throughout the site and the proposal includes appropriate landscaping, as set out above, and boundary treatment as previously approved.
- 5.57 Details of the external appearance/materials have been provided as part of the application and are considered to be suitable, however final details need to be secured through planning conditions (Condition 17).
- 5.58 With regard to landscaping, hard landscaping has been submitted as part of the application and are considered broadly acceptable; it is considered necessary to condition the final details to be submitted and approved in writing (Conditions 18 and 19). While a general landscaping scheme has been provided, it is considered necessary to condition the submission of final landscaping details, implementation, maintenance and retention in accordance with the submitted details (Conditions 3 to 5).
- 5.59 Furthermore, the boundary treatment details submitted in support of the application are considered to be largely acceptable with the exception of those used to divide rear boundary gardens. It is therefore considered necessary to condition the delivery of these boundary treatments (Conditions 20 and 21).
- 5.60 It is considered that the proposed development has successfully demonstrated that it has achieved a standard of design that will contribute to the site and its surrounding context. Subject to the recommended conditions accords with the design aims and objectives of the NPPF, and policies CS15 and MSGP24 of the Local Plan.
- 5.61 TRANSPORT AND HIGHWAYS
- 5.62 The strategic highway aspects of Policy GV6 of the CSUCP were considered in detail as part of the extant application. This policy has not changed since approval of the extant application; and as the total number of dwellings remains the same, the proposal continues to accord with Policy GV6 with regard to strategic highway issues and impact on the local highway network and connectivity.
- 5.63 As set out above, the application seeks to introduce a second developer, Miller Homes, on part of site 287(a) known as West Ryton. This results in different house types, minor amendments to the layout, changes to the phasing and the provision of a bus service.

- 5.64 Some of these changes are minor in nature whilst others have a greater impact on accessibility during the construction process.
- 5.65 To accommodate two developers working simultaneously on different parts of what was previously a single construction site has resulted in amended phasing and timings for the completion of the link road between West Ryton and East Ryton.
- 5.66 In mitigation, changes to the bus service are proposed, the amendments are outlined in more detail below.
- 5.67 Approved Bus Service:
- The extant permission via its conditions and S106 agreement, would see a bus service introduced in a phased manner.
 - The bus service is due to commence prior to occupation of either the 30th dwelling at this site or 50th dwelling at the adjoining East Ryton (Bellway) site, whichever comes sooner.
 - The service would then run for 5 years or 2 years after occupation of the final dwelling on both sites, whichever is longer.
 - The service will run to/from the site via Blaydon Bus Station to/from MetroCentre Bus Station.
 - Initially the service will be routed around the outside of the site with bus stops on Woodside Lane and Cushy Cow Lane.
 - Once the link road connecting both sites is completed the bus will be routed through the new estate.
 - There would be a fallback position should there be an unforeseen delay in delivery of the link road with the introduction of a turning circle within either of the two sites.
 - Vehicle - Minimum capacity of 23 passengers with 20 seated.
 - Timetable - Minimum of a half hourly daytime service between 06:00 and 19:00 hours on Mondays to Saturdays. There will be no Sunday service.
- 5.68 Proposed Bus Service
- 5.69 All the above aspects of the bus service would remain the same apart from the following:
- Route - The initial phase route will now incorporate Ryton town centre by using Old Hexham Road, Stargate Lane and B6317 between Cushy Cow Lane and Woodside Lane.
 - Link Road - the opening of the link road to buses will take place upon one of the two following triggers;
 - When the portion of the link-road within the Bellway site is completed upto the site boundary; or
 - Upon completion of the final surfacing of the link road within the application site.
 - Vehicle - Minimum capacity has increased to 44 passengers with 27 seated (from 23 passengers with 20 seated).

- Timetable - Additional hourly evening service. The last bus would leave Woodside Lane at 21:00 hours and the MetroCentre at 21:30 hours back towards the estate.
- 5.70 Due to the accelerated construction of West Ryton and the changes to phasing, a greater number of dwellings on both West Ryton and East Ryton will be occupied prior to the bus service being able to go through rather than around the outside of the housing allocation.
- 5.71 This will mean a greater number of people will have to walk further for longer to use the bus service.
- 5.72 It is clear that the current application does have a detrimental impact on accessibility when compared to the extant permission due to changes to the phasing. The approved scheme had 100% of dwellings in the West Ryton element of the allocation within 400m walking distance of a bus stop both during and after construction.
- 5.73 The proposed scheme reduces this figure to 69% during construction with the occupiers of 64 dwellings within West Ryton having to walk over 400m and up to nearly 700m to access a bus stop for an indeterminate period.
- 5.74 The applicant has indicated that the Taylor Wimpey portion of the link road would be completed in 2024, with the Bellway portion of the link road being completed in 2027.
- 5.75 It should be noted that after construction and the opening of the link road to buses all dwellings would be within 400m walking distance of a bus stop, as with the original application.
- 5.76 The extant permission's infrastructure was provided in parallel to development progressing through the phases from Woodside Lane towards East Ryton (Bellway). However, with the introduction of a second developer at West Ryton it is proposed that development will be undertaken in two locations simultaneously which may further impact on accessibility. Although all infrastructure will be completed to binder course as part of Phase 1 the final surfaces will not be completed for some time, the desirability for walking to bus stops may be impacted upon by ongoing construction work.
- 5.78 The extant permission's approved Masterplan envisaged that the West Ryton portion of the link road would be completed around 2022, with the East Ryton portion of the link road being completed around 2023. Obviously there has been slippage in the programmes since then, however, the proposed accelerated construction of West Ryton would mean a greater gap between the delivery of both sides of the link road than originally envisaged. Therefore, there is likely to be a need to bring the bus into the application site prior to the completion of the whole of the link road as per the fallback position in the s106 agreement.

- 5.79 The changes to the approved phasing are likely to have some impact on establishing sustainable mode choices from an early stage and undermining the long-term viability of the bus service. This being said, the developers have agreed to enhance the capacity and hours of operation of the bus service compared to the approved scheme which is welcomed.
- 5.80 The current application would deliver a scheme which is not as accessible as the extant permission. However, there are clear benefits in terms of the improvements to the bus service. On the basis of the above assessment, it is considered that the proposed development could not be considered to conflict with the NPPF or Local Plan Policy.
- 5.81 Further to the above, conditions would also be required in the following areas:
- Delivery of the link road (Condition 23);
 - Traffic calming (Conditions 24);
 - Cycle parking (Conditions 25 and 26);
 - EV Charging (Conditions 27 - 29);
 - Travel Plan (Conditions 30 and 31);
 - Construction Management Plan (Conditions 32 and 33); and
 - A scheme for the interpretation of the Towneley Main Waggonway (Conditions 42 and 43).
- 5.82 Based on the above assessment, it is considered that the proposed development would comply with the requirements of the NPPF and while not fully complying with all requirements of Policies CS13 and MSGP15 of the Local Plan the proposal is considered to be acceptable.
- 5.83 **RESIDENTIAL AMENITY**
The relevant considerations are the impact on residential amenity in terms of existing nearby properties and also for future residents of the proposed development.
- 5.84 The extant planning approval examined, in detail, the impact of the proposal on the amenity of existing and future occupiers. The proposed application allows for different house types; however this would not result in a significant change in amenity for existing or future occupiers. Further, the changes reduce the anticipated construction period and therefore reduces the impact on neighbouring residents with regard to construction. The impacts of the proposal on amenity are examined in more detail below.
- 5.85 **Impact on existing nearby properties**
There are a number of existing residential properties that would be potentially affected by the development. These are properties located on Western Way, South Close, The Ridge and Grange View.
- 5.86 Whilst it is acknowledged that the outlook from all the properties which abut the application site will change, officers have considered the impact on these properties carefully together with the separation distances between the proposed development and existing housing.

- 5.87 In regard to existing properties on Western Way, it is considered that the separation distances from the gables of proposed houses to the rear windows of the existing properties (minimum of 25 metres) would be acceptable and would not result in an unacceptable visual impact or loss of privacy to existing properties on Western Way.
- 5.88 In regard to existing properties on South Close, officers have carefully considered the separation distanced afforded between the proposed development and existing housing (minimum of 21 metres window to window) and the retention of hedging to the boundary of the site sufficient to prevent any unacceptable visual impact or loss of privacy.
- 5.89 In regard to existing properties on The Ridge and Grange View, officers have carefully considered the separation distanced afforded between the proposed development and existing housing (minimum of 22 metres window to window), the retention of hedging to the boundary of the site and the staggered relationship between the properties; it is considered the proposal would not have any unacceptable visual impact or loss of privacy.
- 5.90 Given the above, it is acknowledged that the development would alter the outlook of existing properties as it would introduce housing on land which has been open and undeveloped. However, it is considered that the layout of the development is such that it would not lead to an unacceptable visual impact or an unacceptable reduction in privacy to existing properties.
- 5.91 It is also acknowledged that the construction of the development would have a potential impact on nearby properties in terms of noise, disturbance and dust. Whilst these impacts cannot be avoided, it is considered that through the imposition of a planning condition for final construction control measures these impacts can be minimised to ensure no unacceptable impact on residential amenity (Conditions 32 and 33).
- 5.92 Living conditions for future residents
It is considered that the proposed layout of the development is adequate to ensure that the interface distances between proposed dwellings would ensure no unacceptable impact would occur.
- 5.93 Further, part of the proposed development would be located close to existing highway infrastructure and Stargate Industrial Estate to the south east of the application site, to this end a noise impact assessment has been submitted in support of the application. This noise impact assessment concludes that no unacceptable impact on future occupiers would occur as a result on ongoing activity subject to appropriate mitigation measures (Conditions 44 and 45).
- 5.94 On this basis, it is considered that living conditions for existing and future residents would be acceptable and the proposal would not conflict with the NPPF, and Policies CS14 and MSGP17 of the Local Plan.
- 5.95 ARCHAEOLOGY

An archaeological assessment has been submitted with the application. The assessment concludes that the site is very unlikely to contain archaeological remains, and so will not require further archaeological work. The application would therefore not conflict with the NPPF, and Policies CS15 and MSGP27 of the Local Plan.

5.96 GROUND CONDITIONS AND COAL MINING

5.97 The findings of an intrusive site investigation, including boreholes and trial pits have been submitted with the application. The proposal does not have a significant possibility of causing contamination of the ground which cannot be mitigated through the use of planning conditions (Conditions 34 - 38). It is therefore considered that the proposed development would not cause unacceptable risk in terms of ground contamination to existing and future residents. The application would not conflict with the NPPF, and Policies CS14 and MSGP20 of the Local Plan.

5.98 The Coal Authority have also been consulted on the application and have no objection to the proposal subject to the imposition of planning conditions (Conditions 39 and 40).

5.99 Subject to the above conditions, it is considered that the application would not conflict with the NPPF, and Policies CS14 and MSGP20 of the Local Plan.

5.100 CHILDREN'S PLAY

The plans submitted with the application identify locations for informal play provision suitable for all age groups (toddler to teen) in the central and north-eastern parts of the site. It is considered that these locations are suitable given that they would be well overlooked with dwellings fronting on to them. The areas would also be highly accessible from all areas of the development.

5.101 Given the above, the proposed development would be in accordance with the NPPF, and policies CS14, GV6 and MSGP40 of the Local Plan.

5.102 EDUCATION CONTRIBUTIONS

Policy GV6 of the Local Plan requires that development contributes to local primary school provision. Policy DEL1 requires new development to be made acceptable through the provision of necessary infrastructure. In this case, this is being delivered through CIL. Education requirements appear on the Council's CIL Regulation 123 list, as such the works can only be funded through CIL and not a S106 legal agreement.

5.103 Subject to this, the proposal would be in accordance with policies GV6 and DEL1 of the Local Plan.

5.104 SITE SPECIFIC POLICY

Policy GV6 allocates land at South Ryton for up to 550 homes to take place in accordance with an "approved masterplan and phasing plan". The Policy also sets out 13 criteria against which proposals for development within the

allocation are to be assessed. The compliance with these requirements is assessed within the main body of the report and is summarised below:

- Mitigation of the impacts of the development on landscape, biodiversity and ecological connectivity including the provision of a substantial landscape/ ecological buffer along the southern and western boundaries of the site, and the protection and enhancement of those hedgerows to be retained as part of the development.

The proposed layout incorporates measures to incorporate landscape mitigation. Officers are of the view that a substantial buffer has been provided by the application and would therefore comply with this requirement.

- Open space, sport and recreational facilities, where necessary.

The proposed development provides for an acceptable and appropriate level of informal recreational facilities, there is no identified need for any sports facilities on site. The application complies with this requirement.

- Mitigation of the cumulative traffic impacts of the proposed development on junctions along the A695, including Blaydon Roundabout (A695/ B6317).

This requirement is addressed through the payment of CIL, the application therefore complies with this requirement.

- Improvements to the junction of Cushycow Lane and Stargate Lane.

The proposal is not compliant in this regard; however, the requirement has been addressed by the Bellway development.

- The widening of Stargate Lane and improvement to footways between Cushycow Lane and the A695.

The proposal is therefore not compliant in this regard; however, the requirement have been addressed by the Bellway development.

- A continuous vehicular link-road within the site between Cushycow Lane and Woodside Lane.

The final details of and the provision of the link road (upto the applicant site boundary) within an appropriate timescale have been secured though the use of appropriate conditions; while the proposed development is not considered to comply with this requirement it does provide facilitate the ability to prove a continuous link.

- A contribution to local primary school provision.

This requirement is addressed through the payment of CIL, the application therefore complies with this requirement.

- A landscaped buffer between the site and the reservoir located to the east of Woodside Lane.

The application proposes the retention of and where necessary the improvement to existing planting adjacent to the existing reservoir (secured by conditions), the application therefore complies with this requirement.

- Interpretation and retention of the route of the Towneley Main Waggonway which runs through the site.

The Waggonway is to be retained in situ and remain unaffected by the development other than through the creation of the proposed link road, the final design of which will be secured via planning condition, the application therefore complies with this requirement.

- Evidence that there is adequate foul and surface water infrastructure capacity before connecting to the existing public sewerage system.

NWL has raised no objection to the proposed development through the submission of appropriate information the applicant has demonstrated the proposal would comply with the above requirement.

- A positive response to the potential to manage flood risk in the Grange Drive, Constable Close/ Turner Close and Woodside Road areas by incorporating overland flows from A695 and integrating additional SuDS storage.

SUDS proposals incorporated into the scheme will reduce the overland flows towards Woodside Road and intercept flows towards Grange Drive providing betterment to both, the final details of the proposed drainage will be secured through conditions and the proposal would comply with the above requirement.

- A flood risk assessment to demonstrate there is no risk of flooding from Woodside Pond and the local land drains.

The application through the submission of appropriate information has demonstrated the proposal would comply with the above requirement.

- Measures to ensure existing greenfield runoff rates for up to a 100 year rainfall event taking into account anticipated climate change and maintaining overland flow paths.

The application through the submission of appropriate information has demonstrated the proposal would comply with the above requirement.

5.105 CIL

5.106 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 application site is within Residential Zone A and the levy is £60 per sqm for market housing with an exception provided for the onsite affordable housing.

5.106 OTHER MATTERS

5.107 Works are underway on site and the applicant has elected to commencement implementation of application DC/17/01376/FUL, hence works have been ongoing during the application process.

5.108 In regard to insufficient GP facilities in the area, the site was allocated for housing following an Examination in Public (EIP). No concerns were raised from the NHS Clinical Care Commissioning Group to this allocation. It is not considered that this issue would justify a refusal of planning permission.

5.109 All other objections raised have been addressed within the main body of the report.

6.0 CONCLUSION

6.1 The site is allocated in the Local Plan for residential development and therefore the principle of the development is clearly acceptable. This said, there would be a technical conflict with part 2 (both limbs i and ii) of policy CS4 which specifies that development in allocated growth areas should be carried out in accordance with approved masterplans and delivery plans. It is also acknowledged that the proposed development would fail to comply with limbs 4, 5 and 6 of the site specific GV6 Policy.

6.2 Section 38 of the Planning and Compulsory Purchase Act 2004 sets out that decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. When considered alongside the Bellway application (DC/16/00320/FUL) the applications cover the majority (96%) of the Village Growth Area. As such, given application DC/16/00320/FUL has been approved and DC/22/00043/106 seeks to unify the S106 agreements associated with the developments, officers are of the view that the developments would be substantially in accordance with the policy requirements despite the technical non-compliance. Officers are of the view that the impacts of the development can be adequately mitigated through planning conditions or planning obligations. Further, the proposed development would be considered to comply almost entirely with the site-specific policy (Policy GV6) as the Bellway and Taylor Wimpy application sites have been appropriately Masterplanned, accounting for approximately 96% of the allocation by area.

6.3 This variation of condition application will accelerate delivery of homes on the Ryton Village Growth Area, by introducing an additional developer. This

enables the development rate to be increased for the western portion of the site. The introduction of Miller Homes on the site will ensure the accelerated delivery of homes within Gateshead. The introduction of Miller Homes anticipates delivery of the western portion of the Ryton site by 2025. This is also a significant benefit for adjacent residents, as it will reduce the time period of disruption caused by construction.

6.4 Further, it is considered that the development would bring about a number of other benefits such as the provision of additional family housing in Gateshead. The development would also have economic benefits from construction jobs and employment including targeted local employment. Further benefits would be the reduction in surface water flood risk from the site as a result of SuDS.

6.5 Given the above, it is recommended that planning permission be granted following the expiry of the notification period and subject to planning conditions and Section 106 Agreement.

7.0 Recommendation:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

1) The agreement shall include the following obligations:

- Affordable housing in perpetuity
- Biodiversity mitigation
- Local workforce commitments
- Provision of a new bus service

2) That the Service Director of Legal and Corporate 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;

1

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

Updated Masterplan and Phasing Document 18 May 2022

573-BEL 501 Proposed Phasing Masterplan

1405-MIL 800 A Anticipated Infrastructure Delivery

Taylor Wimpey

Sketch Layout RYT/SK4-01 Rev Z

Character and Materials Plan Rev B

AA22 Affordable Elevations AA22/6/PL2 A

AA22 Affordable Floor Plans AA22/6/PL1

AA33 Affordable Elevations AA33/6/PL2
AA33 Affordable Floor Plans AA33/6/PL3
Garage Floor Plan GARAGES/PL1 Rev A
Beauford - Floor Plans NA21/7/PL1 C
Beauford - Elevations NA21/7/PL2 C
Manford - Floor plans NA44/7/PL1 B
Manford - Elevations Character 1 NA44/7/PL3 B
Manford - Elevations Character 2 NA44/7/PL2 B
Braxton - Ground Floor Plan NB31/CP/01 A
Braxton - Elevations Character 1 NB31/7/PL3 B
Braxton - Elevations Character 2 NB31/7/PL2 A
Braxton - Floor Plans NB31/7/PL1 B
Elliston - Elevation Character 1 NB41/7/PL3 A
Elliston - Elevation Character 2 NB41/7/PL2 B
Elliston - Floor Plans NB41/7/PL1 B
Coltham - Elevations Character 1 ND40/7/PL2 B
Coltham - Elevations Character 2 ND40/7/PL3 B
Coltham - Floor Plan ND40/7/PL1 D
Kingham - Floor Plans ND42/7/PL1 D
Kingham - Elevations Character 1 ND42/7/PL2 B
Kingham - Elevations Character 2 ND42/7/PL3
Canford - Elevations Character 1 PA25/7/PL2 A
Canford - Elevations Character 2 PA25/7/PL3 A
Canford - Floor Plans PA25/7/PL1 A
Gosford - Elevations Character 1 PA34/7/PL2 A
Gosford - Elevations Character 2 PA34/7/PL3 B
Gosford - Floor Plans PA34/7/PL1 A
Midford - Elevations Character 1 PA44/7/PL2 A
Midford - Elevations Character 2 PA44/7/PL3
Midford - Floor Plans PA44/7/PL1 C
Amersham - Elevations Character 1 PD30/7/PL2 A
Amersham - Elevations Character 2 PD30/7/PL3
Amersham - Floor Plans PD30/7/PL1 B
Lavenham - Elevation Character 1 PD51/7/PL2 A
Lavenham - Elevation Character 2 PD51/7/PL3
Lavenham - Floor Plans PD51/7/PL1 B
Lavenham – General Arrangement Ground Floor Plan PD51/7/21 H
Easedale - Floor Plans PT36/7/PL1 B
Easedale - Elevation Character 1 (roof 1) PT36/7/PL2
Easedale - Elevation Character 1 (roof 2) PT36/7/PL3
Easedale - Elevation Character 2 (roof 1) PT36/7/PL4
Easedale - Elevation Character 2 (roof 2) PT36/7/PL5

Miller Homes

1405-MIL-100G - Site Layout Plan_04-04-22
1405-MIL-101G - Character Areas and Materials Plan_04-04-22
1405-MIL-102G - Surface Finishes Plan_04-04-22
1405-MIL-103G - Overall Site Plan_04-04-22
1405-MIL-200B Bin Collection Point_04-04-22
RY/EV/001 C EV Charging Strategy Plan

RY/BTL/001I Brick & Tile Layout
A102 A Typical Cycle Store Plans & Elevations
Character Area 1 - The Denham M404801V-2
Character Area 1 - The Denham M404801V-3
Character Area 1 - The Denham M404801V-4
NDSS – The Denham M404802
Character Area 1 - The Adkin M500801V-1
Character Area 1 - The Adkin M500801V-1 (Plot 16)

Character Area 1 - The Adkin M500801V-2
Character Area 1 - The Adkin M500801V-2 (Plots 19, 23 & 35)

NDSS – The Adkin M500802
Character Area 1 - The Hopkin M501801V-1
Character Area 1 - The Hopkin M501801V-2
Character Area 1 - The Hopkin M501801V-3
NDSS – The Hopkin M501802
Character Area 1 - The Harrison M300801V
NDSS – The Harrison M300802
Character Area 2 - The Grayson M301801C
Character Area 2 - The Grayson M301801C (Plots 48, 56, 57, 62, 75, 76, 77, 78, 79, 80 & 81)
Character Area 2 - The Carson M303801C
Character Area 2 - The Carson M303801C (Plots 49, 51, 60 & 63)
Character Area 2 - The Cunningham M400801C-1
Character Area 2 - The Cunningham M400801C-1 (Plot 46)
Character Area 2 - The Cunningham M400801C-2
Character Area 2 - The Cunningham M400801C-2 (Plot 61)
Character Area 2 - The Denham M404801C-1
Character Area 2 - The Denham M404801C-1 (Plots 52 & 58)
Character Area 2 - The Denham M404801C-2
Character Area 2 - The Denham M404801C-2 (Plot 47)
Character Area 2 - The Denham M404801C-3
Character Area 2 - The Denham M404801C-3 (Plot 59)
Character Area 2 - The Hopkin M501801C-1
Character Area 2 - The Hopkin M501801C-1 (Plot 45)
Character Area 2 - The Hopkin M501801C-2
Character Area 2 - The Hopkin M501801C-2 (Plot 55)

Character Area 2 - The Harrison M300801C
Character Area 2 - The Harrison M300801C (Plots 53, 54, 82, 83, 84, 85, 86, 87 & 88)
Character Area 2 - The Rosamond M202801C-1
Character Area 2 - The Rosamond M202801C-2
Character Area 2 - The Rosamond M202801C-2 (Plot 93)
Character Area 2 - The Rosamond M202801C-2 (Plots 71, 72, 73, 74, 89, 90, 91, 92, 94, 95, 96 & 97)
NDSS – The Rosamond M202802

Site A SW Basin A QD839-04-06 C

Site A SW Basin B QD839-04-06 C
Site B SW Network QD839-03-01 C
Site A Drainage Strategy QD839-03-01 C
Site A External Works Sheet 1 QD839-04-01 C
Site A External Works Sheet 2 QD839-04-02 C
Site A External Works Sheet 3 QD839-04-03 C
Site A External Works Sheet 4 QD839-04-04 C
Site A External Works Sheet 5 QD839-04-05 C
Site B Drainage Strategy QD839-03-02 C
Site B External Works QD839-04-09 C
Site A - Area A - Storm QD839-03-02 C
Site A - Area B - Storm QD839-03-02 C
Site B - Storm Network QD839-03-02 C
Longsection Sheet 1 QD839-05-01 A
Longsection Sheet 2 QD839-05-02 A
Longsection Sheet 3 QD839-05-03
Bus Turning Area Proposed Levels QD839-00-11
Refuse Tracking Layout Sheet 1 QD839-40-01 Rev A
Refuse Tracking Layout Sheet 2 QD839-40-02 Rev A
Ryton Enclosure Details 1 RYT-SK-30 Rev B
Ryton Enclosure Details 2 RYT-SK-31 Rev A
Southern Boundary Indicative Sections Rev A 952_02
Indicative Sections Southern Boundary 952_10 Rev A
Management of Existing Hedgerows 952_50 Rev B
Open Space Provisions rev A 952_02
Woodside Lane LVA Rev A 952_ Woodside Lane LVA Rev A
Landscape Strategy 952_01 Rev L
Design and Access Statement HPS- DAS v3
Noise Assessment NT12153/0005-Rev2
BFL12 Assessment BFL12 2
Arboricultural Impact Assessment AE/ARB/1122
Tree Survey and Constraints Plan ARB/AE/1122
Transport Assessment Addendum A078337 & A089225-2 v2
P1484 Ryton Travel Plan May 2022
P1484 Transport Assessment Addendum May 2022
Sustainability Statement TW
Flood Risk Assessment and Drainage Strategy QD836 Rev B
Geoenvironmental Appraisal C6194A September 2020
Final Area A Woodside Lane, Ryton – Supplementary Coal Mining
Investigation and Inundation Settlement Testing C6194A
Land at Woodside Ryton – Additional Gas Risk Assessment C6194A
Land at Woodside Ryton – Earthworks Specification Issue 1
Bat Survey 3920 TW Bats 2017 R03
Ecological Impact Assessment 3920 TW ECIA 2017 R04
Great Crested Newt Survey 3920 TW GCN 2017 R04
Hydrogeological Risk Assessment C6194A
Geotechnical Review 70035931 Date: June 2017
Revised Coal Mining Risk Assessment and Ground Engineering
Assessment 70035931 Date: July 2018
Hedgerow Management Strategy 952_50C

Arboricultural Method Statement Tree Protection Plan Ref.
ARB/AE/1122

Pre-development Tree Survey Ref. ARB/AE/1122

Leam Lane Sheds

A089225-2-001 S278 Works

A089225-2-002D S278 Works

A089225-2-100D S278 Works

A089225-2-101C S278 Works

A089225-2-200C S278 Works

A089225-2-500C S278 Works

A089225-2-501C S278 Works

A089225-2-502A S278 Works

A089225-2-601B S278 Works

A089225-2-700F S278 Works

A089225-2-1100C S278 Works

A089225-2-1200D S278 Works

A089225-2-1201C S278 Works

A089225-2-1202B S278 Works

A089225-2-SD01B S278 Works

A089225-2-SD02B S278 Works

PLL_2019_143_R0 Street Lighting Design

PLSK(T)466 RevB Woodside Lane - S278 Lighting Mods

Condition 35 supporting info

Vehicle Charging Requirements rev B

PA25 Elevation_52 Sheet rev E

Pod installation guides

Anticipated Delivery Timetable for Traffic Calming rev C

QD839-06-01 Road Construction Details Rev C

QD839-07-01 Site A Surface Finishes Rev C

QD839-07-05 Site B Surface Finish and Kerb Note Rev D

1N/RYT/TCFP-01 Traffic Calming Features Plan Rev

QD839-03-04 Link Road Rev B

QD839-06-01 Road Construction Details Rev F

QD839-07-01 Site A Surface Finishes Rev F

QD839-07-02 Site A Surface Finish and Kerb Notes Sheet 1 Rev F

QD839-07-03 Site A Surface Finish and Kerb Notes Sheet 2 Rev F

QD839-07-04 Site A Surface Finish and Kerb Notes Sheet 3 Rev F

QD839-10-01 Site A Road and Sewer Setting Out Sheet 1 Rev D

QD839-10-02 Site A Road and Sewer Setting Out Sheet 2 Rev F

QD839-10-03 Site A Road and Sewer Setting Out Sheet 3 Rev C

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

Unless otherwise approved in writing by the Local Planning Authority, the phasing of the development shall take place in accordance with 'Phasing and Infrastructure Delivery' plan set out within Section 7 of the approved Updated Masterplan and Phasing Document May 2022 (the 'Phasing Plan'). For the avoidance of doubt, development shall proceed in the order of Phase 1 first, Phase 2 second, Phase 3 third and Phase 4 last and in accordance with the following stipulations;

- No dwellings hereby permitted shall be commenced in phase 2 until all infrastructure within phase 1 is substantially complete.
- No dwellings hereby permitted shall be commenced in phase 3a until 75% of dwellings (57 dwellings) within phase 2a are substantially complete, and all on site infrastructure identified by the Phasing Plan is substantially complete.
- No dwellings hereby permitted shall be commenced in phase 3b until 75% of dwellings (17 dwellings) within phase 2b are substantially complete, and all on site infrastructure identified by the Phasing Plan is substantially complete.
- No dwellings hereby permitted shall be commenced in phase 4 until 70% of dwellings (23 dwellings) within phase 3a are substantially complete, and all on site infrastructure identified within phase 3 is substantially complete.

Reason

In the interest of good design and to ensure a comprehensive, phased and co-ordinated approach to the site development to accord with the aims and objectives of the NPPF, and Policies CS4, CS15, GV6 and MSGP24 of the Local Plan for Gateshead.

3

Notwithstanding the submitted plans, no dwelling shall be occupied on each phase (or agreed subphase) of the development, until a fully detailed scheme for the soft landscaping for that phase of the development of the site and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of landscaping, ground preparation and planting plans noting the species, plant sizes, planting densities for all new planting, gapping up/planting of hedgerows and a scheme of maintenance of the landscaping (for a period of five years following planting).

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety

and in accordance with the NPPF, and policies GV6, CS18, MSGP24, MSGP31, MSGP32, MSGP36 and MSGP37 of the Local Plan for Gateshead.

4

The landscaping and hedgerow planting/gapping up details scheme shall be implemented in accordance with the details and timings approved at condition 3.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety and in accordance with the NPPF, and policies GV6, CS18, MSGP24, MSGP31, MSGP32, MSGP36 and MSGP37 of the Local Plan for Gateshead.

5

The approved soft landscaping and hedge maintenance schemes shall be maintained in accordance with the details approved under condition 3.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area, biodiversity and public safety and in accordance with the NPPF, and policies GV6, CS18, MSGP24, MSGP31, MSGP32, MSGP36 and MSGP37 of the Local Plan for Gateshead.

6

The approved Arboricultural Method Statement Tree Protection Plan (Ref. ARB/AE/1122) shall be adhered to throughout the construction period and the approved measures shall be retained for the full duration of the construction works on that phase of the development and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, and policies GV6, CS18, MSGP24, MSGP31, MSGP32, MSGP36 and MSGP37 of the Local Plan for Gateshead.

7

Within 2 calendar months of this decision a detailed drainage scheme for all phases (and agreed subphases) including a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The information submitted shall include:

- Detailed final drawings of the drainage network showing clearly numbered pipes, falls, diameters, invert and cover levels that correspond with the submitted drainage model. Show connection of all SuDS features and final details of connections to existing off site sewers.
- Cross section through swale behind Plot M74 showing relationship to houses; rear gardens; hedge and RPA; wagonway; and maintenance access. Cross section between Plots M8 and 46 showing relationship of swale and swale crossing to drives, houses and hedgerow.
- Detail of all inlet and outlet features including landscape treatment, to demonstrate appropriateness for residential setting.
- Final detail of detention basins, showing detail of local variation of slope and form following landscape design. Include detail of any lining, soil depths, and low flow channel. Show water levels at 1:1, 1:30 and 1:100 (plus cc).
- Detail of all other SuDS features, flow controls and treatment devices.
- Landscape details for SuDS features including detailed planting plans, soiling.
- Detailed results from exceedance flow analysis to be presented to demonstrate no off-site risk from exceedance flows.
- All necessary consents required for off-site works.
- Confirmation of adoption arrangements and parties responsible for all drainage features.
- A SuDS Health and Safety Assessment where appropriate consideration and management of any health and safety issues relating to the SuDS system is required.

Reason

To prevent the increased risk of flooding in accordance with the NPPF, and policies CS17, GV4, MSGP29 and MSGP31 of the Local Plan for Gateshead.

8

Each phase of the development shall be implemented in accordance with the drainage scheme for that phase of the development and the timetable for implementation approved at condition 7.

Reason

To prevent the increased risk of flooding in accordance with the NPPF, and policies CS17, GV4, MSGP29 and MSGP31 of the Local Plan for Gateshead.

9

No drainage shall be constructed on each phase (or agreed subphase) of the development until a Drainage Construction Method Statement (DCMS) for that phase (or agreed subphase) of the development has been submitted to and approved in writing by the Local Planning Authority. The information submitted shall include:

Consideration of any construction phasing, demonstrating that adequate interim drainage and surface water pollution protection measures are in place to protect surface water discharge off site during the construction phase.

Description of any construction methodologies to protect the SuDS functionality including the provision of any required temporary drainage systems, and methods for temporary protection of infiltration features, permeable surfaces, erosion prevention, pollution control, and de-silting prior to completion of works.

Reason

To protect the water environment and to ensure correct functioning of the drainage system at completion to accord with the NPPF, and policies CS17, MSGP29 and MSGP31 of the Local Plan for Gateshead.

10

Each phase of the development shall be implemented in accordance with the Drainage Construction Method Statement for that phase of the development approved at condition 9.

Reason

To protect the water environment and to ensure correct functioning of the drainage system at completion to accord with the NPPF, and policies CS17, MSGP29 and MSGP31 of the Local Plan for Gateshead.

11

Prior to each phase (or agreed subphase) of the development being occupied a Drainage Management Plan for that phase (or agreed subphase) of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure to correct functioning of the drainage system for the lifetime of the development and to prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, and policies CS14, CS17, GV6, MSGP29 and MSGP31 of the Local Plan for Gateshead.

12

The drainage scheme provided for each phase of the development shall be managed and maintained in accordance with the Drainage Management Plan approved at condition 11.

Reason

To ensure to correct functioning of the drainage system for the lifetime of the development and to prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, and policies CS14, CS17, GV6, MSGP29 and MSGP31 of the Local Plan for Gateshead.

13

Within 2 calendar months of this decision an Ecology Method Statement for all phases (and agreed subphases) shall be submitted to and approved in writing by the Local Planning Authority.

The EMS shall include details of the following measures and a timetable for their provision, implementation and retention:

- a) measures to avoid adverse impacts on retained ecological habitats and features during the site clearance and construction phases of the development
- b) measures to minimise the residual risk of harm to individual species during the site clearance and construction phases of the development
- c) measures to ensure local populations of protected and/or priority species are maintained at, or above, their current status.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

14

The ecology method statement approved at condition 13 shall be provided for each phase of the development in accordance with the approved details and the approved timetable for implementation and retention.

Reason

To avoid / minimise harm to retained habitats, ecological features and protected/priority Species during the site clearance and construction phases of the development in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

15

No external lighting shall be provided on each phase (or agreed subphase) of the development until an external lighting strategy for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity, including bats
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can clearly be demonstrated that areas to be lit will not prevent bats and other wildlife using their territory or having access to their resting places and
- c) identify those areas of highway (including footpaths) which are intended to be adopted.

Reason

To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

16

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy at condition 15

Reason

To avoid harm to bats and other light sensitive species and to ensure the maintenance of the 'local' bat population at or above its current status in accordance with the NPPF, and policies CS18, MSGP31 and MSGP37 of the Local Plan for Gateshead.

17

Unless otherwise approved in writing by the Local Planning Authority, the development hereby approved shall be undertaken in accordance with approved plans RYT/CH10-01 Character and Materials Rev B and 807999-RY-BTL-001 - B&T Layout Rev I.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, and Policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

18

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

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, and Policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

19

All hard landscaping shall be completed in full accordance with the details approved at Condition 18 (including timescales for implementation) and retained as such in accordance with the approved details thereafter.

Reason

To safeguard the visual amenities of the area in accordance with the NPPF, and Policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

20

No boundary treatments shall be provided within each phase (or agreed subphase) of the development until a timetable for implementation for each development phase (or agreed subphase) has been submitted to and subsequently approved in writing by the LPA.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

21

All boundary treatments at the site shall be installed in accordance with approved plan Sketch Layout RYT/SK4-01 Rev X and 1405-MIL-100F - Site Layout Plan_04-03-22, and in accordance with the timescales approved at condition 20.

Reason

To ensure the satisfactory appearance of the development upon completion in accordance with the NPPF, and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

22

The site access as detailed in plans:

- A089225-2-001 S278 Works
- A089225-2-002D S278 Works
- A089225-2-100D S278 Works
- A089225-2-101C S278 Works
- A089225-2-200C S278 Works
- A089225-2-500C S278 Works
- A089225-2-501C S278 Works
- A089225-2-502A S278 Works
- A089225-2-601B S278 Works
- A089225-2-700F S278 Works
- A089225-2-1100C S278 Works
- A089225-2-1200D S278 Works
- A089225-2-1201C S278 Works
- A089225-2-1202B S278 Works

- A089225-2-SD01B S278 Works
- A089225-2-SD02B S278 Works

shall be provided in accordance with the approved details prior to the first occupation of any dwellinghouse hereby approved.

Reason

In the interest of highway safety and to accord with the NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

23

Unless otherwise approved in writing by the Local Planning Authority, the vehicular link-road as detailed in the following approved plans (or plans as submitted to and approved in writing by the Local Planning Authority):

- QD839-03-04 Link Road Rev B
- QD839-06-01 Road Construction Details Rev F
- QD839-07-01 Site A Surface Finishes Rev E
- QD839-07-02 Site A Surface Finish and Kerb Notes Sheet 1 Rev F
- QD839-07-03 Site A Surface Finish and Kerb Notes Sheet 2 Rev F
- QD839-07-04 Site A Surface Finish and Kerb Notes Sheet 3 Rev F
- QD839-10-01 Site A Road and Sewer Setting Out Sheet 1 Rev D
- QD839-10-02 Site A Road and Sewer Setting Out Sheet 2 Rev F

QD839-10-03 Site A Road and Sewer Setting Out Sheet 3 Rev C shall be fully implemented in accordance with the approved details and made available for the use by all vehicles (including construction and buses), pedestrians and cyclists.

The link road shall be made available for the use by all vehicles, pedestrians and cyclists upon one of the following two triggers (whichever comes first);

- At such a time the portion of the continuous vehicular link-road between Woodside Lane and Cushy Cow Lane within East Ryton ((285) as identified within Section 1 of the approved "Masterplan and Phasing Document") is completed up to the boundary of West Ryton (285a); or
- Upon completion of the final surfacing of the link road, which shall commence within 6 months of the completion of the 196th dwelling hereby approved and be completed within 9 months of the completion of the 196th dwelling.

Thereafter the road shall remain open for use for vehicles, pedestrians and cycles to access 285 at all times. No barriers or other physical impediments to the use of this road by vehicles, pedestrians and

cyclists to access to 285 shall be put in place without the prior written consent of the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

24

The traffic calming measures as listed in plans and documents:

- Anticipated Delivery Timetable for Traffic Calming Rev C
- QD839-06-01 Road Construction Details Rev C
- QD839-07-01 Site A Surface Finishes Rev C
- QD839-07-05 Site B Surface Finish and Kerb Note Rev D
- 1N/RYT/TCFP-01 Traffic Calming Features Plan Rev A

Shall be provided in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

The traffic calming measures approved at condition 29 shall be provided in accordance with the approved details and approved timetable for delivery.

Reason

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

25

Notwithstanding the submitted details, prior to the first occupation of any dwelling hereby approved final details of cycle storage for each house to include details of the locking mechanism and anchor point to be located in each garage or shed to Secured by Design standards shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

26

The cycle storage provision approved at condition 25 shall be provided for each house prior to each house being occupied.

Reason

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

27

The Taylor Wimpey house types, as identified on the RY/EV/001 B EV Charging Strategy Plan, shall be provided with a provision of an electric vehicle charging unit in all affordable units and for all remaining dwellings a Consumer Unit with a double pole breaker shall be provided and labelled as 'Electric Vehicle Chargepoint Ready' in accordance with the detailed specifications provided in Vehicle Charging Requirements rev B, PA25 Elevation_52 Sheet rev E and Pod installation guides.

Reason

In the interests of sustainable development and in order to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

28

Within 2 calendar months of this decision detailed specifications of the electric vehicle charging units/points for the Miller Homes house types as identified on RY/EV/001 B EV Charging Strategy Plan shall be submitted for approval by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

29

The electric vehicle charging units/points approved at condition 28 shall be provided for each Miller Homes house type prior to each house being occupied.

Reason

In the interests of sustainable development and in order to accord with the NPPF and policy CS13 of the Core Strategy and Urban Core Plan.

30

No dwelling hereby approved shall be occupied until a final Travel Plan has been submitted to and approved in writing by the Local Planning Authority. 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.
- Appointment of a travel plan co-ordinator and their allocated budget
- 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.

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.

31

The Travel Plan approved under condition 31 shall be wholly implemented in accordance with the approved details for the life of the development

Reason

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

32

Within 14 days of this decision a Construction Management Plan (CMP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include:

- a dust management plan
- a noise management plan
- contractor parking
- details of delivery arrangements
- the hours of construction

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

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, and policies CS14, MSGP17, MSGP18 and MSGP19 of the Local Plan for Gateshead.

33

Each phase of the development shall be implemented in accordance with Construction Management Plan (CMP) measures approved for that phase of the development at condition 32.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, and policies CS14, MSGP17, MSGP18 and MSGP19 of the Local Plan for Gateshead.

34

Within 2 calendar months of this decision an updated Phase 2 Risk Assessment report of the findings submitted to the Local Authority for written approval.

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.

The site investigation and Phase 2 report should also include, where applicable, permeability tests and an assessment of potential contamination issues in relation to any proposed / required SUDS features.

Reason

In order to ensure the land is suitable for its sensitive end use in accordance with the NPPF, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

35

The recommendations of the intrusive site investigation and the Phase 2 Risk Assessment Report approved under condition 34 shall be implemented insofar as it relates to each individual phase prior to commencement of each phase of the development hereby permitted.

Reason

In order to ensure the land is suitable for its sensitive end use in accordance with the NPPF, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

36

Within 2 calendar months of this decision, 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, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

37

The details of remediation measures approved under condition 36 shall be implemented insofar as it related to each individual phase prior to commencement of the development on each phase of the development hereby permitted 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, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

38

Following completion of the remediation measures approved under condition 36 for each individual phase (or agreed subphase) 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, and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

39

Prior to the commencement of development of Phase 4 a scheme for intrusive site investigations in order to establish the location of mine entries and shallow mine workings shall be submitted to and approved in writing by the LPA.

Reason

To ensure that the development is not at risk from unstable land in accordance with the NPPF, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

40

The scheme of coal mining remediation works on Phase 4 of the development shall be carried out in accordance with the details approved for that phase under condition 39 including the approved timetable of implementation.

Reason

To ensure that the development is not at risk from unstable land in accordance with the NPPF, and policies CS14 and MSGP20 of the Local Plan for Gateshead.

42

No dwellings hereby permitted shall be commenced in phase 3 until a scheme for the Interpretation of the route of the Towneley Main Waggonway, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

43

The scheme for signage to the wagonway shall be carried out in accordance with the details approved under condition 42 including the approved timetable of implementation.

Reason

In the interest of highway safety, sustainability and to accord with the NPPF, and policies CS13 and MSGP15 of the Local Plan for Gateshead.

44

Within 2 calendar months of this decision noise mitigation measures to protect the occupiers of the dwellings from road traffic noise in accordance with the Noise Assessment (Wardell Armstrong (NT12153 September 2018)) shall be submitted to and approved in writing by the Local Planning Authority.

Reason

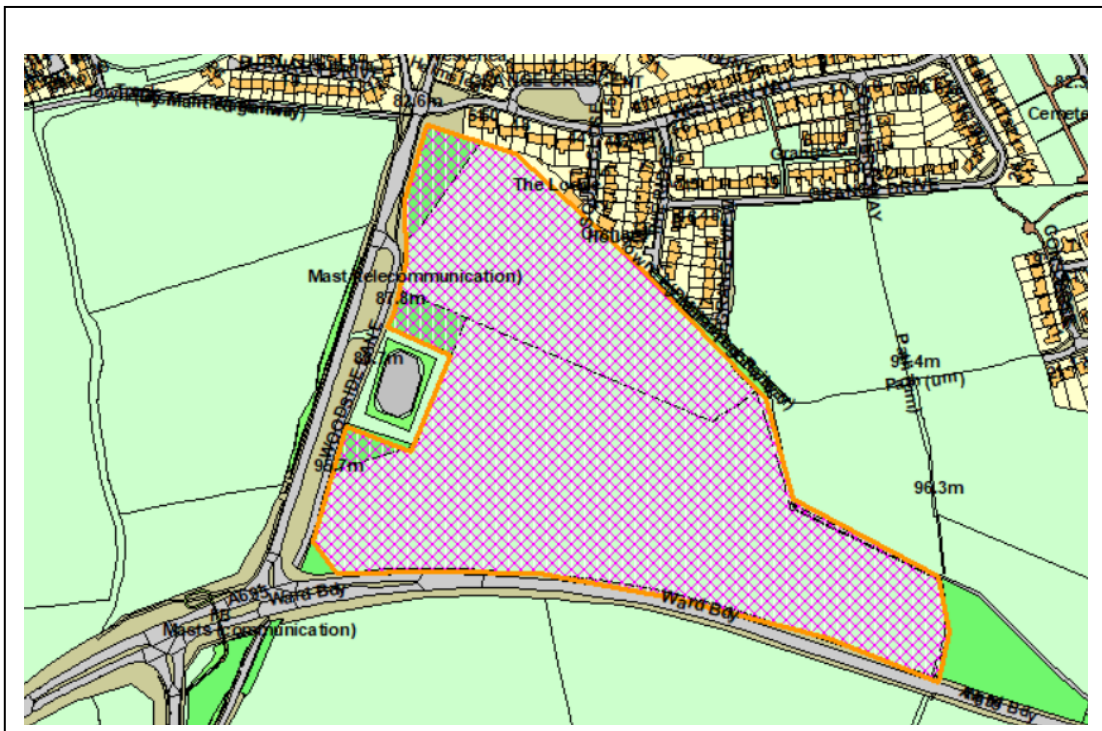
To safeguard the living conditions of the future occupiers in accordance with the NPPF, and policies CS14 and MSGP18 of the Local Plan for Gateshead.

45

The noise mitigation measures approved under Condition 44 shall be installed and maintained in accordance with the approved details for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority,

Reason

To safeguard the living conditions of the future occupiers in accordance with the NPPF, and policies CS14 and MSGP18 of the Local Plan for Gateshead.



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