

**Committee Report**

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| <b>Application No:</b>        | <b>DC/23/00408/FUL</b>   |
| <b>Case Officer</b>           | <b>Mark O'Sullivan</b>   |
| <b>Date Application Valid</b> | <b>12 May 2023</b>   |
| <b>Applicant</b>              | <b>Gateshead Council</b>   |
| <b>Site:</b>                  | <b>Quarryfield Road Car Park<br/>Quarryfield Road<br/>Gateshead</b>  |
| <b>Ward:</b>                  | <b>Bridges</b>   |
| <b>Proposal:</b>              | <b>Continued use as car park providing 555 parking bays with 22 disabled parking bays on the site of Quarryfield Road.</b> |
| <b>Recommendation:</b>        | <b>GRANT TEMPORARY PERMISSION</b>  |
| <b>Application Type</b>       | <b>Full Application</b>  |

**1.0 The Application**

**1.1 DESCRIPTION OF SITE**

The application relates to the existing Quarryfield Road car park (a 14Ha hardstand site) located on the western edge of the Baltic Quarter as designated in the Core Strategy and Urban Core Plan (CSUCP) policy QB3(5). The site is enclosed by low level birds mouth fencing and bounded by Quarryfield Road to the west and Abbots Hill serving adjacent office buildings in the Baltic Quarter to the north. To the west beyond Quarryfield Road is a multi-storey car park serving the adjacent Gateshead College, with the District Energy Centre to the southwest. Undeveloped scrubland containing a SuDS drainage pond and landscaping borders the site to the east.

**1.2 DESCRIPTION OF APPLICATION**

In June 2018 retrospective planning permission was granted for the formation of a 555 space temporary car park for a 5-year period (planning ref: DC/18/00165/FUL). Justification was provided at the time, citing increased parking demand in this location resulting from the Great Exhibition of the North and other surrounding development on the Baltic Quarter, as well as from a number of car parking spaces being lost at Mill Road and South Shore Road throughout the Exhibition. In addition, it was anticipated that future Quay's development would necessitate additional parking in the area.

1.3 The car park was established as a public pay and display site operated by Gateshead Council and accessed directly from Abbots Hill to the north (linking to Quarryfield Road to the west).

1.4 As part of the approval, Sustainable Urban Drainage was proposed through the creation of a detention basin to the northeast corner of the site.

1.5 With the 5 year temporary consent having recently lapsed, the current application seeks a renewal of temporary consent for a further 5 years. No alterations to the existing car park would result, which would continue to provide 555no. parking bays, including 22no. disabled bays.

#### 1.6 RELEVANT PLANNING HISTORY

A retrospective five year temporary consent was granted on 21 June 2018 for the formation of a 555 space car park to be enclosed by birds' mouth fencing under Planning ref: DC/18/00165/FUL.

### 2.0 Consultation Responses

No external consultations received.

### 3.0 Representations

3.1 Site notices to publicise works were posted adjacent to the site and all immediately adjoining properties notified in writing. The application was also advertised in the local press. Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. No representations were received.

### 4.0 Policies

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

QB3 Quays and Baltic Dev Opportunity Sites

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP24 Design Quality

MSGP29 Flood Risk Management

MSGP30 Water Quality/River Environments

MSGP37 Biodiversity and Geodiversity

## **5.0 Assessment of the Proposal**

5.1 The key considerations to be taken into account when assessing this planning application are the principle of the proposals, impact on amenity, highway safety, flood risk and ecology.

### **5.2 ENVIRONMENTAL IMPACT ASSESSMENT**

The development does not fall within the criteria listed in schedule 1 and 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as such an Environmental Impact Assessment is not required in relation to this application.

### **5.3 PRINCIPLE OF DEVELOPMENT**

The 533-space car park was originally granted planning approval for a temporary five-year period on 21 June 2018. At the time it was considered that the space available and proximity of the site to the Quays, and notably the proposed conference centre/arena development to the north would make it an attractive location for temporary car parking. In addition, it was envisaged that car parks would need to be provided on the adjacent Baltic Quarter to serve the needs of the Quarter and the surrounding area. It was accepted at that time that any extension to this temporary permission would require further assessment in the context of the wider development proposals for the area.

5.4 The current application is accompanied by a supporting statement which sets out justification for the extended time period sought for the car park. It is explained how current demand for car parking in the Quays and Baltic Quarter area arises from a number of sources:

- General public using the facilities and attractions in the Quays;
- Businesses operating in the area;
- Gateshead College;
- Local residents; and
- Commuters to Newcastle Quayside/city centre;

5.5 In the short to medium term proposals for new development in the area including a hotel to the immediate north and the nearby conference centre/arena development mean that the Gateshead Quays and Baltic Quarter area is anticipated to undergo major changes. These will compound pressures on car parking in the area as the demand from visitors to the area outstrips available supply. The statement concludes that the number of parking spaces in the area has reduced between 2018 and 2023, with the number of public spaces decreasing from 1,431 to 990. Meanwhile the number of public and private spaces have decreased from 2,405 to 1,964, with demand for spaces increasing between 2018 and 2023. Demand for parking spaces in the area is anticipated to increase in the short term due to

demand from Quays construction workers whilst the existing car park provides spaces for a significant number of permits holders (for Riga tenants) as well as visitors to the area without an obvious alternative location.

- 5.6 The Quays MSCP was designed to accommodate parking demand generated by the Gateshead Quays (Arena and Conference Centre) development (that was granted planning permission by Planning and Development Committee on 12 July 23) and its delivery is linked to that development. Whilst it would also provide capacity to meet general car parking demand in the area, it would not provide significant additional capacity to compensate for the potential loss of spaces at Quarryfield Road Car Park. As various developments come forward, the overall car parking requirements in the area will inevitably change and therefore they are under constant review. The retention of the Quarryfield Road car park for a further 5-year temporary period is therefore considered to provide medium-term flexibility in dealing with parking demand in the area, which could not be met by the remaining parking infrastructure.
- 5.7 The area subject to the application has already operated as a Council car park for five years, prior to which it was a cleared area of undeveloped land allocated for commercial use within the Core Strategy and Urban Core Plan (CSUCP). Based upon the information submitted, officers consider that the retention of a temporary car park in this location for an additional 5 years is acceptable and does not conflict with the relevant paragraphs in the National Planning Policy Framework (NPPF) as well as the aims and objectives of policy QB3(5) of the CSUCP.
- 5.8 AMENITY  
Paragraph 130 of the NPPF relates to achieving well-designed places and states planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible, and which promote health and well-being with a high standard of amenity for existing and future users.
- 5.9 A public car park has operated from this site for five years. Given its temporary nature, the car park has been constructed in such a way to ensure when required, land can be restored fairly easily (i.e., temporary surfacing and boundary fencing). As the car park is proposed to be retained for a further five years (taking consent up to 2028), it is considered reasonable to allow some flexibility in terms of materials and finish. Prior to its creation, the site had been cleared for a number of years and has been previously used as a works compound for the nearby energy centre. Therefore, this temporary construction is not considered to create an issue in terms of visual amenity.
- 5.10 If a further temporary consent is granted, it is anticipated that a more permanent form of development will have been approved in its place and requirements for landscaping etc can be addressed through future applications. If future development has not commenced the surface treatment, fencing, lighting and signage required for the use as a car park can be removed, subject to details submitted via condition (condition 2).

- 5.11 In terms of the amenity of nearby occupiers, the application site stands remote from the nearest residential properties located beyond the A184 (Park Lane) to the south or within the town centre to the west. No objections are received and given site construction works have long since finished, the current impacts relate solely to the coming and going of vehicles using the car park throughout the day. Given the nature of the surrounding area, use of this car park in the evening is infrequent, however this will likely change following completion of the nearby conference centre/arena and adjacent hotel development. Notwithstanding this, it is not considered that any harm to the amenity of neighbouring occupiers would result from the continued use of the car park.
- 5.12 Given the nature of the proposals, character of the area and distance to the nearest sensitive uses, the resulting impact on neighbouring amenities would be minimal. It is considered the development does not conflict with the aims and objectives of MSGP17 and MSGP18, or policies CS14 and CS15 of the CSUCP.
- 5.13 HIGHWAYS  
Paragraph 109 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 The car park was originally granted consent to act as a replacement car park for the spaces lost in the Mill Road and South Shore Road car parks during the Great Exhibition of the North. With the total number of spaces lost totalling 380, the car park as approved created an additional 175 spaces. At that time, in terms of traffic generation, given the limited traffic flow on Quarryfield Road, and with an immediate requirement to provide for traffic associated with the Great Exhibition of the North, the risks of significant highway problems were considered to be low.
- 5.15 Since this time, there have been a number of significant planning approvals in the surrounding area, most of which are accompanied by transport assessments, travel plans and some extensive traffic modelling. In addition, recent approvals for hotel development to the north and the Conference Centre/Arena is shortly due to start construction, resulting in increased parking demand in the local area.
- 5.16 Since the car park was created, there have been no recorded Road Traffic Collisions on Quarryfield Road, with no current highway safety issues.
- 5.17 The current application is accompanied by a detailed transport statement which sets out justification for the retention of the car park for an additional 5 years. No objections are raised with respect the content of this statement and officers consider that in highway terms the temporary proposals remain acceptable. Although there would be some impacts on the local highway network with this proposal becoming an attractor of traffic, there are no

significant/severe issues envisaged with its continued use in terms of NPPF. It is considered that the current proposals would not have a direct adverse impact on the adopted highway over and above the existing arrangement, nor would it adversely impact upon highway safety. Proposals would satisfy the provisions of the NPPF and policies CS13 and MSGP15 of the Gateshead Local Plan.

#### 5.18 DRAINAGE

The application site is located in a Flood Zone 1 area and is not identified as being at a high risk of surface water flooding. However, given the size of the site, it is a major application and therefore the use of a Sustainable Urban Drainage System (SuDS) is a material planning consideration. The original temporary consent detailed the creation of a large detention basin to the northeast corner of the site as part of a SuDS and this has been created. This along with infiltration through the porous surface material was expected to ensure the surface run off is maintained at an appropriate Greenfield rate.

5.19 With regards the current submission, a Drainage Statement is provided (14 August 2023) detailing the drainage works which have been implemented. It is explained that the original drainage scheme for the car park proved to be unsatisfactory and relied upon 2 separate surface water discharge mechanisms (sub-grade permeability and positive drainage to the nearby pond). The subgrade porosity proved insufficient and there was no piped overflow connection from the pond. This caused overtopping of the pond during storm events.

5.20 Subsequent steps have therefore been put in place to address this. As an addendum to the nearby Link Road contract, a new connection from the pond to the public sewer network was designed and approved by Northumbrian Water. This created the required piped overflow from the pond, allowing the drainage from the car park to operate in a satisfactory way. During periods of light rainfall, the majority of the surface water run-off is dealt with by the permeable surfacing. During more significant rainfall events the surface water run-off is directed to the pond where the flows are attenuated before being discharged at a controlled rate to the public sewer. It is explained how the downstream sewer connection provides ample capacity. Meanwhile the overflow connects to the drainage on the new Quays Boulevard link road which discharges via the new surface water system into the Tyne.

5.21 The Drainage Statement explains how the drainage system has been operating successfully during the recent period of sustained rainfall and the new outlet from the pond and secondary overflow outlet have ensured that there are no uncontrolled overland flows from the car park.

5.22 Based on the updated information provided, officers consider that there would be scope to recondition the current temporary approval requiring all details of the 'as built' drainage scheme to be submitted to and approved in writing by the Local Planning Authority within 3 months of permission, should permission be granted. It is considered that this is necessary so as to ensure appropriate drainage of the site in preventing the risk of flooding in

accordance with the NPPF and relevant local planning policy. Subject to the above, proposals would satisfy the provisions of CS17, MSGP29 and MSGP30 of the Gateshead Local Plan.

#### 5.23 ECOLOGY

The previous 2018 consent acknowledged that the development of the car park, SuDS basin and relocation of excavated material resulted in the direct loss of UK and local BAP priority habitat (Open Mosaic Habitat on Previously Developed Land) including the loss of fauna, including statutorily protected and priority species. At that time, it was acknowledged that in accordance with relevant National and Local planning policies, appropriate mitigation and/or compensation should be provided to address the impacts of development.

5.24 In the context of the current application, relevant National and Local Planning Policy (NPPF, MSGP37, CS18) requires development to demonstrate the provision of net gains in biodiversity as well as minimising adverse impacts on biodiversity. An opportunity has arisen to reassess the biodiversity impacts of the proposals under relevant policy framework, whilst acknowledging that only a further 5 year temporary consent is sought.

5.25 Officers consider that such requirements may be dealt with via the application of appropriately worded condition relating to the provision of a proportionate level of ecological compensation/enhancement. It is considered reasonable to establish a trigger of 6 months for the submission of this information which would comprise a scheme for the offsetting of biodiversity impacts at the site, including the impacts of operation of the site as a car park over the preceding years (condition 5). Such a condition would supersede condition 5 of the 2018 consent which is now outdated based upon an old policy framework and ensure the delivery of an acceptable scheme for ecological compensation and enhancement.

5.26 Subject to the above, current proposals would satisfy the provisions of the NPPF and policies CS18 and MSGP37 of the Gateshead Local Plan.

#### 5.27 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 01 January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This proposal has been assessed against the Council's CIL charging schedule and is not considered to be CIL chargeable development.

### 6.0 CONCLUSION

6.1 Taking all relevant issues into account it is recommended that in accordance with relevant local and national planning policy, temporary planning permission is granted for an additional 5 years. The application is considered in respect of the principle of development, the impact on amenity, highway safety, drainage and ecology.

### 7.0 Recommendation

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

1

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

TS-0417-000 Site boundary

TS-0417-001 General arrangement

TS-03-04 Fencing wood birds mouth fencing

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

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

2

The permission hereby granted shall be for a limited period only of 5 year(s) from the date of this decision notice and prior to the expiry of the temporary permission a restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all of the following:

- a) Restoration of the site including the removal of all temporary surface treatment, fencing, lighting and infrastructure; and
- b) Removal of the vehicular access and restoration of that land

The approved restoration scheme shall be completed to the satisfaction of the Local Planning Authority within six months of its approval.

Reason

To enable the Local Planning Authority to ensure that site is fully restored to its former condition in the interests of visual amenity and to re provide the temporarily lost recreation land in accordance with policies CS15 and MSGP24 of the Gateshead Local Plan.

3



Within three months of this decision, final details of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

a - A drainage statement setting out details of the design storm period and intensity; approach to modelling and a summary of results including modelling for climate change; conformity to the DEFRA Non-Statutory Standards for SuDS; confirmation of exceedance flow management to demonstrate that surrounding property is free from risk from runoff from this site; and confirmation of drain down time for the basin.

b - A plan of proposed finished levels to demonstrate flow and exceedance routes.

c - the final specification of permeable pavement to demonstrate mitigation of pollution via filtering through the pavement construction.

d - copy of full drainage model results and an electronic copy of the model;

e - a management and maintenance plan for the lifetime of the development, including specification and schedule of maintenance; confirmation from maintenance operative that basin is acceptable to maintain; confirmation of maintenance access.

#### Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policies CS17, MSGP29 and MSGP30 of the Gateshead Local Plan.

4

The drainage details shall be implemented and maintained in accordance with the details approved under condition 3.

#### Reason

To ensure appropriate drainage so as to prevent the risk of flooding in accordance with the NPPF and Policies CS17, MSGP29 and MSGP30 of the Gateshead Local Plan.

5

Notwithstanding the approved plans, within six months of the date of this decision, details of a biodiversity net gain compensation scheme, including the mechanism(s) for delivery of on and/or off site measures, which delivers a biodiversity net gain, as demonstrated through application of the Defra metric 3.1, to be delivered on suitable land, and including timescales for delivery, shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

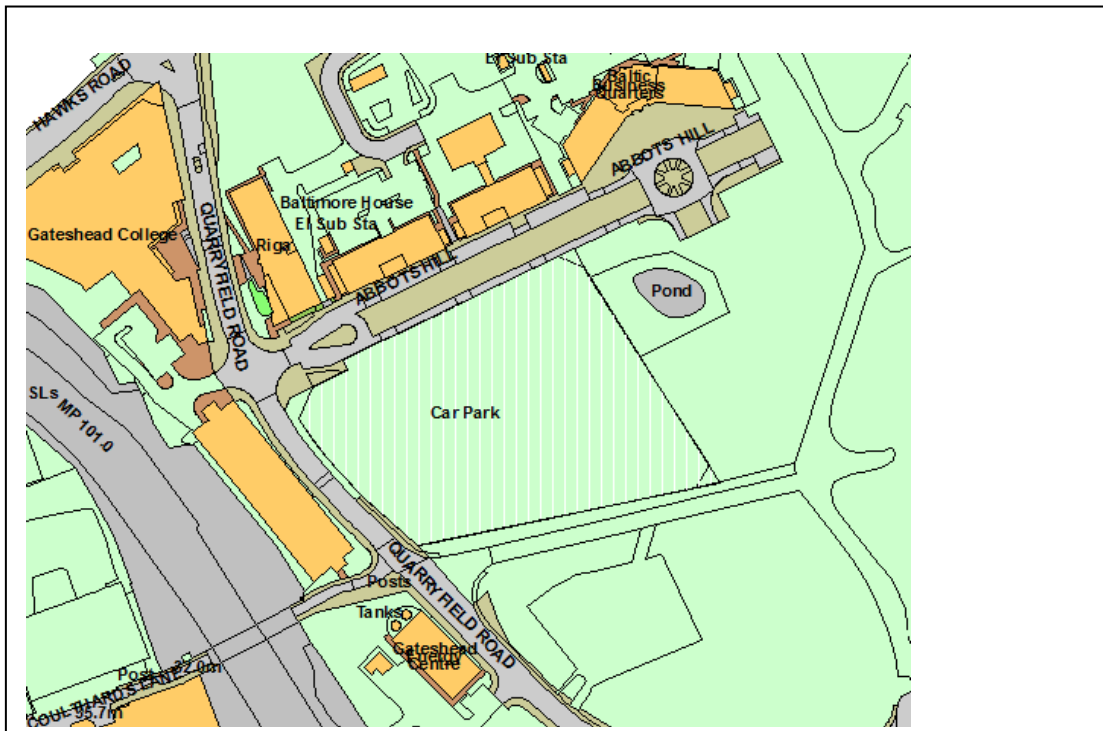
To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead and Part 15 of the NPPF.

6

The biodiversity net gain compensation scheme approved under condition 5 shall be implemented in full accordance with the approved measures and timescales and maintained thereafter for a minimum of 30 years.

#### Reason

To ensure the development achieves measurable biodiversity net gain and improves the local and natural environment in accordance with policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead and Part 15 of the NPPF.



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