

# Public Document Pack

## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 12 June 2024

**PRESENT:** Councillor(s): J Turner, V Anderson, D Burnett, P Burns, L Caffrey, S Dickie, A Geddes, T Graham, E McMaster, J Mohammed, L Moir, C Ord, I Patterson, S Potts, K Walker, D Weatherley and D Welsh

**APOLOGIES:** Councillor(s): B Goldsworthy, P Elliott, K McCartney and K Wood

### **PD894 MINUTES**

The minutes of the meeting held on 15th May 2024 were approved as a correct record and signed by the Chair.

### **PD895 DECLARATIONS OF INTEREST**

Councillor Dawn Welsh declared interest on report no.3 Land West of Follingsby Way, Follingsby Park, Gateshead.

### **PD896 PLANNING APPLICATIONS**

- RESOLVED:
- i) That the full planning applications and outline applications specified in the appendix to these minutes be granted, refused or referred to the Department for Communities and Local Government or deferred as indicated subject to the conditions, if any, as specified therein and to any other appropriate conditions of a routine or standard nature.
  - ii) That the applications granted in accordance with delegated powers be noted.

### **PD897 ENFORCEMENT TEAM ACTIVITY**

The Committee received a report advising them of Enforcement activity between 1<sup>st</sup> May 2024 and 28<sup>th</sup> May 2024.

The Enforcement Team has received 191 new service requests. The Enforcement Team currently have 596 under investigation, 148 cases resolved and 1 case pending prosecution.

There have been 4 court hearings in this period.

RESOLVED:

- (i) That the information be noted.

**PD898 ENFORCEMENT ACTION**

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee.

RESOLVED:

- (i) That the information be noted.

**PD899 PLANNING ENFORCEMENT APPEALS**

The Committee received a report advising them on new appeals against enforcement action received and to report the decisions of the planning inspectorate received during the report period.

There have been no appeals received since an update was provided to the Committee.

There have been no appeal decisions received since the last Committee.

RESOLVED:

- (i) That the information be noted.

**PD900 PLANNING APPEALS**

The Committee received a report advising them of new appeals received and to report the decision of the Secretary of State received during the reporting period.

There have been no new appeals received since the last Committee.

There have been three new appeal decisions since the last Committee.

There have been no new cost decisions received since the last Committee.

RESOLVED:

- (i) That the information be noted.

**PD901 PLANNING OBLIGATIONS**

The Committee received a report advising them of completion of Planning Obligations which have previously been authorised.

There have been no new planning obligations since the last Committee.

RESOLVED:

- (i) That the information be noted.

**Chair.....**

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<b>Date of Committee: Wednesday 12<sup>th</sup> June 2024</b>					
<b>Application Number and Address:</b>  <b>DC/24/00224/COU</b> Leven House Rest Home 323 Market Lane Gateshead NE16 3DZ	<b>Applicant:</b>  Fenham Properties Limited				
<b>Proposal:</b>  Change of use of former Care Home (C2) to residential dwelling (C3) including external alterations and alterations to vehicular access. (Additional information received on 22.04.2024. Amended plans received on 24.04.2024 and 21.05.2024).					
<b>Declarations of Interest:</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left; padding: 5px;"><b>Name</b></th> <th style="width: 50%; text-align: left; padding: 5px;"><b>Nature of Interest</b></th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">None</td> <td style="padding: 5px;">None</td> </tr> </tbody> </table>		<b>Name</b>	<b>Nature of Interest</b>	None	None
<b>Name</b>	<b>Nature of Interest</b>				
None	None				
<b>List of speakers and details of any additional information submitted:</b>  In verbal update. Please can these two conditions be included in the minutes:  Prior to occupation a Noise Mitigation Plan detailing measures to reduce noise (in accordance with the noise survey submitted with the application) shall be submitted and approved in writing by the LPA. The measures shall include acoustic fencing to rear garden, glazing and ventilation system to all habitable rooms. Reason In the interests of protecting residential amenity to accord with the requirements of the NPPF and policies CS14, MSGP 17 and MSGP18 of the Local Plan for Gateshead.  The acoustic protection measures approved under condition 10 shall be implemented wholly in accordance with the approved details prior to the first occupation/ use of the dwellinghouse and shall be retained thereafter for the life of the development. Reason In the interests of protecting residential amenity to accord with the requirements of the NPPF and policies CS14, MSGP 17 and MSGP18 of the Local Plan for Gateshead.  Mr James Wright spoke against the application. Mr Sunny Howd spoke in favour of the application.					
<b>Any additional comments on application/decision:</b>  That permission be granted subject to the following condition(s) and that the Strategic Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the conditions as necessary:					

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

-Site Location Plan

-Drawing Number RES963-BHA-ST-XX-DR-A-1210 Revision P04 Proposed Site Plan – Single House Option

-Drawing Number RES963-BHA-V2-ZZ-DR-A-1510 Revision P02 Proposed Ground Floor Plan – Single House Option

-Drawing Number RES963-BHA-V2-ZZ-DR-A-1511 Revision P02 Proposed First Floor Plan – Single House Option

-Drawing Number RES963-BHA-V1-ZZ-DR-A-1601 Revision P01 Proposed Building Elevations

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2

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

3

The external facing materials of the development shall be completed in accordance with the approved plans and documents as detailed below-

-Application Form

-Drawing Number RES963-BHA-V1-ZZ-DR-A-1601 Revision P01 Proposed Building Elevations

-BHA 9002 - Design and Access Statement

4

Notwithstanding the details of the submitted application, prior to the first occupation/ use of the dwellinghouse hereby approved final details of the cycle storage/ parking arrangements shall be submitted for the consideration and written approval of the Local Planning Authority.

5

The cycle storage/ parking arrangements approved under condition 4 shall be implemented wholly in accordance with the approved details prior to the first occupation/ use of the dwellinghouse and shall be retained thereafter for the life of the development.

6

Prior to first use/ occupation of the dwellinghouse hereby approved, the vehicle parking and access layout shall be implemented in full accordance with the details shown on the approved plan 'Drawing Number RES963-BHA-ST-XX-DR-A-1210 Revision P04 Proposed Site Plan – Single House Option' and shall be retained as such thereafter for the lifetime of the development.

7

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

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

8

The development hereby approved shall be restricted to use as a dwellinghouse (whether or not as a sole or main residence) by a single person or by people to be regarded as forming a single household as defined under Part C, Use Class C3(a) of the Town and Country Planning Use Class Order 1987 (as amended) and shall not be occupied for any other purpose or use.

9

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking or re-enacting that order, no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class A, Class D or Class E of Part 1, Schedule 2 of the Order shall be carried out in relation to the dwellinghouse hereby permitted.

Date of Committee: Wednesday 15<sup>th</sup> May 2024

<p><b>Application Number and Address:</b></p> <p><b>DC/22/01329/FUL</b>          Washington Metalworks Limited          Bath Road          Felling          Gateshead          NE10 0LH</p>	<p><b>Applicant:</b></p> <p>Mr Steve Tate</p>
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**Proposal:**

Proposed extension on north elevation of existing factory building.

**Declarations of Interest:**

Name	Nature of Interest
None	None

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

None

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

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

1  
 The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Existing site location plan	1179/01A 22 11 22
Proposed elevations	SW0211 SK 00 07 10/20/22
Proposed roof plan	SW0211 SK 00 08 25/09/23
Proposed Site Plan (buildings only)	SW0211 SK 00 13 13/10/2023
Proposed site plan scale 1:500 WMW Layout 04 12 23 (120 car parking spaces)	



Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2

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

3

The development hereby approved shall be carried out in accordance with the Arboricultural Appraisal Report (sections 9-11) by MWA dated 5 May 2023 and accompanying Tree Protection Plan (drawing MWA TPP 01 5 May 2023)

4

No development shall commence on the new building hereby approved until a scheme of site investigation and assessment to test for the presence and likelihood of ground gas emissions has been submitted to and approved in writing by the Local Planning Authority or until an alternative scheme to provide measures to protect the proposed development from such gas emissions has been submitted to and been approved in writing by the Local Planning Authority.

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the site investigations works after development has commenced.

5

The gas protection measures approved under condition 4 (if required) shall be provided on site in accordance with the approved details prior to the building being brought into use.

6

Prior to the commencement of development a revised Drainage Strategy which moves a drainage channel to the west of the proposed extension and confirms levels to the north, shall be submitted to and approved in writing by the Local Planning Authority.

Reason For Pre Commencement Condition

This pre commencement condition is required as it may not be possible to carry out the required drainage strategy after development has commenced.

7

The development shall be implemented in accordance with the revised Drainage Strategy approved under condition 6.

8

Prior to any of the new car parking areas being provided on site, a drainage strategy for the parking areas which include new areas of paving / hard surfacing, to show how these areas will be adequately drained shall be submitted to and approved in writing by the Local Planning Authority.

9

The parking areas shall be provided in accordance with the drainage scheme approved under condition 8, prior to the extension hereby approved being brought into use.

10

Prior to the building hereby approved being brought into use the one way internal road system at the site, that is capable of accommodating the manoeuvring requirements of a maximum size articulated HGV shall be implemented in accordance with the details shown on drawing - proposed site plan scale 1:500 WMW Layout 04 12 23 and retained for the life time of the development. This route shall be kept free of all obstructions including, but not limited to all raw materials, plant, factory goods and finished goods.

11

Prior to the new building hereby approved being brought into use a scheme for road signage and markings associated with the one-way route through the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to one way signage, no entry signage and road marking.

12

The one-way signage scheme approved under condition 11 shall be implemented in accordance with the approved details prior to the new building hereby approved being brought into use and retained for the lifetime of the development.

13

Prior to the new building hereby approved being brought into use

- a) all 120 staff and visitor car parking spaces as shown on drawing – proposed site plan scale 1:500 WMW Layout 04 12 23 shall be provided on site by way of road markings
- b) the turning area for vans to the eastern side of the extension as shown on drawing – proposed site plan scale 1:500 WMW Layout 04 12 23 shall be provided.

14

No rigid or articulated HGV vehicles shall use the entry / exit to the site via the northernmost access onto Nest Road.

15

Prior to the new building hereby approved being brought into use, a scheme for waiting and loading restrictions to Bath Road and Nest Road shall be submitted to and approved in writing by the Local Planning Authority.

16

The waiting and loading restriction scheme approved under condition 15 shall be implemented in accordance with the approved details prior to the new building

hereby approved being brought into use, unless an alternative timetable is approved in writing by the Local Planning Authority.

17

Prior to the building hereby approved being brought into use a scheme for the provision of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall include the number, specification, location and shelter of the cycle parking facilities.

18

The approved cycle parking facilities shall be provided on site in accordance with the details approved under condition 17 prior to the new building being brought into use.

19

Prior to the building hereby approved being brought into use a scheme (number, location and specification) for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority.

20

The approved electric vehicle charging facilities shall be provided on site in accordance with the details approved under condition 19 prior to the new building being brought into use.

21

Prior to the occupation of the building hereby approved a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

- 1) Initiatives to reduce car usage and increased use of public transport, walking and cycling;
- 2) A programme of continuous review of the approved details of the Travel Plan through the Council's preferred monitoring system and the implementation of any approved changes to the plan.

Evidence of the travel plans implementation over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

<b>Date of Committee: Wednesday 15<sup>th</sup> May 2024</b>					
<b>Application Number and Address:</b>  <b>DC/22/00943/REM</b> Land West of Follingsby Way, Follingsby Park, Gateshead	<b>Applicant:</b>  Legal and General Property Fund UK				
<b>Proposal:</b>  Proposed extension on north elevation of existing factory building.					
<b>Declarations of Interest:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left; padding: 5px;"><b>Name</b></th> <th style="width: 50%; text-align: left; padding: 5px;"><b>Nature of Interest</b></th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Councillor Dawn Welsh</td> <td style="padding: 5px;">None</td> </tr> </tbody> </table>		<b>Name</b>	<b>Nature of Interest</b>	Councillor Dawn Welsh	None
<b>Name</b>	<b>Nature of Interest</b>				
Councillor Dawn Welsh	None				
<b>List of speakers and details of any additional information submitted:</b>  Prior to committee, a Written Update Report was circulated with two extra conditions.  Condition 5 The landscaping scheme shown on drawing numbers 22-076-P-04 and 22-076-P-05 shall be completed in full accordance with the approved plans during the first planting season (October to March) following commencement of the development unless otherwise approved in writing by the Local Planning Authority. The date of Practical Completion of the landscaping scheme shall be supplied in writing to the Local Planning Authority within 7 days of that date. Reason To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with Policies CS18 and MSGP36 of the Gateshead Local Plan.  Condition 6 No development or any other operations shall commence on site until a scheme for the protection of the existing trees, shrubs and hedges growing on or adjacent to the site (to be retained) has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used. The approved protective fencing must be installed prior to the commencement of the development and thereafter retained intact for the full duration of the construction works 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 development would not have an unacceptable impact on trees, in accordance with policies CS18 and MSGP36 of the Gateshead Local Plan.					
<b>Any additional comments on application/decision:</b>  					

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

1.

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

17068-PL101 revA	Site location plan
17068-PL103 revF	Proposed site plan
17068-PL104 revC	Proposed fence line drawing
17068-PL105 revB	Proposed fence treatment
17068-PL111	Proposed site sections
17068-PL120 revB	GA Unit Plan GF
17068-PL121 revB	GA ground floor main entrance, FF office
17068-PL122 revA	GA roof plan
17068-PL123 rev B	GA Elevations
22-076-P-01	Tree survey plan
22-076-P-02	Tree constraints plan
22-076-P-04	Planting Plan Sheet 1/2
22-076-P-05	Planting Plan Sheet 2/2
22-076-P-06	Tree protection plan
2276/EH/TR001	Tree survey report
T/21/2047 52/01 revP1	Proposed earthworks
T/21/2047 60-01 revP1	Proposed levels

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2.

The development to which this permission relates must be commenced not later than 2 years from the date of this permission.

3.

Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the approved industrial unit shall be operated for purposes falling solely within the B2, B8 and E(g)(i), E(g)(ii) and E(g)(iii) use classifications, and for no other purpose.

4.

The approved office space shall remain ancillary to the approved use of the wider industrial building at all times, and shall remain so for the lifetime of the development.

**Date of Committee: Wednesday 15<sup>th</sup> May 2024**

<p><b>Application Number and Address:</b></p> <p><b>DC/23/00610/FUL</b> Robins And Day Ltd Peugeot Gateshead Lobley Hill Road Gateshead NE8 4YJ</p>	<p><b>Applicant:</b></p> <p><b>Lidl Great Britain Limited And Threadneedle Pensions Limi...</b></p>				
<p><b>Proposal:</b></p> <p>Erection of a discount foodstore (Use Class E), with associated car parking, landscaping and other associated works. (Amended and additional information received 11/08/23, 21/08/23, 27/10/23, 30/10/23, 14/11/23, 23/02/24, 27/02/24, 15/03/24, 24/04/24 and 25/04/24).</p>					
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Name	Nature of Interest				
None	None				
<p><b>List of speakers and details of any additional information submitted:</b></p> <p>Prior to committee, a Written Update Report was circulated with an extra condition.</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the store hereby approved shall only be used for retail purposes falling within Class E (a). It shall not be used for any other purposes within Class E or for any other alternative use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking and/or re-enacting that Order.</p>					
<p><b>Any additional comments on application/decision:</b></p> <p>That permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport be authorised to add, vary and amend the planning conditions as necessary</p> <p style="margin-left: 40px;">1 The development shall be carried out in complete accordance with the approved plan(s) as detailed below:</p> <p style="margin-left: 40px;">Site Location Plan - Drawing no. ZZ-XX-DR-A-900001 Rev P3 Proposed Site Plan - Drawing no. ZZ-XX-DR-A-9100008 Rev P21 Site Context Sections - Drawing no. ZZ-XX-DR-910108 Rev P6 Proposed Site Plan - Boundary Treatments - Drawing no. ZZ-XX-DR-A-910207 Rev P8</p>					

Proposed Cycle Storage - ZZ-XX-DR-A-990003 Rev P6  
Proposed Access Arrangement - Drawing no. 16-2046-004 Rev J  
Landscape Details - Drawing no. R/2689/1J  
General Arrangement Elevations - Drawing no. ZZ-XX-DR-A-020001 Rev P7  
General Arrangement Plan - Roof - Drawing no. ZZ-RF-DR-A-010001 Rev P5  
General Arrangement Plan - Ground Floor - Drawing no. ZZ-00-DR-A-010001 Ref P5  
Proposed External Levels and Kerbing Layout - Drawing no. 145703/2003 Rev H

2

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

3

Prior to commencement of the development hereby approved (including demolition works) a Demolition and Construction Management Plan (DCMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCMP shall include details of the following:

- a) Demolition Method Statement
- b) a Construction and Demolition Traffic Management Plan including routing of vehicles
- c) details of site compounds
- d) means of travel and parking of vehicles for site operatives, contractors and visitors
- e) details of anticipated deliveries, loading and unloading of plant and materials
- f) storage of plant and materials used in constructing the development
- g) the erection and maintenance of security hoarding
- h) construction methodology in consultation with the Asset Protection Project Manager at Network Rail to ensure railway safety
- i) wheel washing facilities and methods to prevent transfer of mud/debris to the highway
- j) a Dust Management Plan (DMP)
- k) a scheme for the recycling/disposing of waste arising from demolition and construction works.
- l) the sequencing of the implementation of the development
- m) measures to minimise noise during the demolition and construction phases including:
  - i. Selection of appropriate equipment, demolition and construction methods;
  - ii. Plant to be located as far away as is reasonably practicable from noise-sensitive receptors;
  - iii. Static plant/equipment fitted with suitable enclosures or screening where practicable;
  - iv. Temporary hoardings/screens around the site boundary or specific activities as appropriate;
  - v. Site personnel instructed on best practice to reduce noise and vibration as part of their induction training and as required prior to specific work activities;
  - vi. Appropriate management of working hours for noisier tasks; and
  - vii. Liaison with residents in advance of works commencing to provide information regarding the programme.

Reason for prior to commencement condition

To safeguard environmental features, transport safety and residential amenity that have the potential to be affected by the demolition and/or construction of the proposed development. The Local Planning Authority is satisfied that this information is so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

4

The DCMP approved under condition 3 shall be adhered to and implemented throughout the demolition and construction periods, strictly in accordance with the approved details.

5

Prior to the commencement of any demolition works a precautionary working method statement for demolition in relation to bats shall be submitted to and approved in writing by the Local Planning Authority.

Reason for prior to commencement condition

To ensure an appropriate methodology for demolition works has been agreed prior to any demolition works taking place.

6

The development hereby approved shall be implemented in complete accordance with the precautionary working method statement agreed under condition 5.

7

No development (excluding demolition) shall commence until an updated Phase II Detailed Risk Assessment (to assess potential contamination following demolition of the existing buildings) has been submitted to and approved in writing by the Local Planning Authority. Where required, the Assessment shall include measures and timescales for Remediation, Monitoring and Verification Reports.

Reason for prior to commencement condition

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

8

Where required, the remediation and monitoring measures approved under Condition 7 shall be implemented in accordance with the details and timescales approved and in full accordance with the approved details.

9

If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations shall cease and the



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

10

The remediation and monitoring measures approved under condition 9 shall be implemented in accordance with the approved details prior to any further works (other than those required for remediation) and maintained for the life of the development.

11

Where remediation is required (under conditions 7 and 9) following completion of the approved remediation and monitoring measures, use of the development hereby approved shall not commence until a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority. Where this is carried out in phases, use of the buildings, structures or plant within the relevant phase shall not commence until a verification report that demonstrates the effectiveness of the remediation carried out for that phase has been submitted to and approved in writing by the Local Planning Authority. The Verification report(s) shall also include cross sectional diagrams of the foundations and details of the approved gas protection measures, details of integrity testing of gas membranes and any test certificates produced.

12

Notwithstanding the submitted plans prior to the commencement of the development (excluding demolition) precise details of existing and proposed site levels, finished floor levels and site sections (including a section through to Temple Green showing the new retaining wall and acoustic fence) shall be submitted to and approved in writing by the Local Planning Authority.

Reason for prior to commencement condition

To ensure accurate site levels are established at an early stage to enable detailed design of floor levels, highway, public and private realm works to progress and in advance of any ground works or laying of foundations taking place.

13

The development shall be implemented in complete accordance with the ground levels, finished floor levels and site sections approved under condition 12.

14

Notwithstanding the submitted plans prior to commencement of development (excluding demolition) a final detailed drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The final detailed drainage strategy shall be in accordance with the principles set out in the Flood Risk Assessment and Drainage Strategy (Fairhurst DID/145703/01, rev10, 23-04-2024) and shall address consultee comments by the Lead Local Flood Authority dated 20 May 2024. The final detailed drainage strategy should ensure that adequate ground level capacity and a suitable default pathway is available for exceedance flows.

Reason for prior to commencement condition

Because installation of drainage in the ground will be one of the initial works undertaken once the development commences and it will need to be ensured in advance of this that the proposed drainage scheme is adequate.

15

The development shall be implemented in complete accordance with the Final Drainage Scheme approved under condition 14.

16

Prior to commencement of development (excluding demolition of the existing buildings) a detailed Drainage Construction Method Statement (DCMS) for the development shall be submitted to and approved in writing by the Local Planning Authority. The DCMS will confirm how the existing drainage on and in the vicinity of the site will be protected and how surface water run off will be managed during construction works.

Reason for prior to commencement condition

Because initial ground works may impact on existing drainage beneath and in proximity to the site and could also generate new surface water flows, as such it will need to be demonstrated how these issues will be dealt with before any works to commence the development begin.

17

The DCMS approved under condition 16 shall be adhered to in full at all times during construction of the development.

18

Prior to construction of any new retaining walls or development above damp proof course, whichever is sooner, the detailed design of the access and connections to existing pedestrian, cycle and public transport infrastructure, in accordance with Drawing No. 16-2046-004 Rev J (Proposed Access Arrangement), shall be submitted to and approved in writing by the Local Planning Authority. The detailed design will be subject to a stage 2 Road Safety Audit, with any resultant works arising to be actioned by the developer. The final design shall demonstrate suitable connections to existing pedestrian, cycle and public transport infrastructure in general accordance with Drawing No. 16-2046-004 Rev J and should take full account of the stage 1 Road Safety Audit and the agreed designers response.

19

The site access and connections to existing pedestrian, cycle and public transport infrastructure shall be implemented in complete accordance with the details agreed under condition 18 prior to first use of the development hereby approved by staff, for deliveries or to the public. Thereafter the site vehicular and cycle access points shall be open and usable at all times for the lifetime of the development.

20

Notwithstanding the approved plans, prior to the commencement of any landscaping works, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) areas of habitat creation, planting species, sizes, layout, densities, numbers, planting procedures or specification and the establishment and maintenance regime
- b) the specification, appearance and siting of all new hard surfacing materials
- c) a timetable for the implementation of the hard and soft landscaping works that shall ensure all works are complete prior to the first opening of the store to the public.

Planting species in vicinity of the railway shall have regard to the list of appropriate species provided by Network Rail to maintain railway safety and ensure that any hedge planted adjacent to the railway boundary fencing should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing.

21

The hard and soft landscaping works shall be implemented and completed in accordance with the details approved under condition 20 ie prior to the first opening of the store to the public.

22

Prior to the first opening of the store to the public , a detailed Landscape Management, Maintenance and Monitoring Plan for all areas of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, the submitted details shall include but not be limited to:

- a) Arrangements for identifying the need for and implementation of any remedial measures;
- b) Person(s) responsible for implementation, establishment/aftercare, management and monitoring.

23

The approved soft Landscaping shall be maintained in accordance with the detailed Landscape Management, Maintenance and Monitoring Plan approved under condition 22 for the lifetime of the development.

24

Prior to the construction of any retaining walls or installation of any boundary treatments, precise details of the specification, height, appearance, colour finish and materials for all new boundary treatments, including all retaining walls and the acoustic fence to the north west boundary shall be submitted to and approved in writing by the Local Planning Authority.

25

All boundary treatments, including retaining walls and acoustic fencing, shall be implemented in complete accordance with the details agreed under condition 24 prior to the first opening of the store to the public .

26

Prior to the first opening of the store to the public a Drainage Maintenance Plan (DMP) shall be submitted to and agreed by the Local Planning Authority. The DMP should include a site plan identifying ownership and responsibility for all drainage components together with a maintenance schedule and inspection checklist. The DMP should identify any drainage components that may require replacement within the lifetime of development and a strategy for their renewal.

27

Drainage shall be maintained in accordance with the DMP approved under condition 26 for the lifetime of the development.

28

Prior to its installation, detailed design of motorcycle parking infrastructure shall be submitted to and approved in writing by the Local Planning Authority.

29

The motorcycle parking infrastructure shall be implemented in complete accordance with the details agreed under condition 28 prior to the first opening of the store to the public

30

The Travel Plan (Cora IHT Ltd, February 2024, Ref: 16-2046 Issue 5) shall be implemented in full upon first use by members of staff of the development hereby approved. Within 18 months of the date of first use of the development by members of staff, evidence of the implementation of the Approved Travel Plan over a minimum period of 12 months, and any necessary revisions, shall be submitted to the Local Planning Authority for consideration.

31

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

32

Prior to the installation of any external plant, machinery or equipment, full specification details, including noise levels, shall be submitted to and approved in writing by the Local Planning Authority.

33

The details approved under condition 32 shall be implemented prior to the first opening of the store to the public and maintained appropriately for the lifetime of the development. No additional external plant, machinery or equipment shall be installed without the details required by condition 32 being submitted.

34

Prior to the installation of any external lighting, a lighting design strategy, including specifications of all external lights and light spillage details, shall be submitted to and approved in writing by the local planning authority. The lighting design strategy shall ensure light levels do not exceed 1 Lux in the green corridor adjacent to the railway line to reduce disturbance to wildlife, minimize light spillage towards

residential properties on Kyle Road and Temple Green and shall ensure there are no impacts on signal sighting safety or driver distraction on the railway.

35

All external lighting shall be implemented in complete accordance with the lighting design strategy approved under condition 34 and operated and maintained for the lifetime of the development. No additional external lighting shall be installed without the details required by condition 34 being submitted.

36

Within 24 months of the store first opening to the public in the event any complaint to the Council from Network Rail relating to signal sighting safety or driver distraction is received, upon notification by the Local Planning Authority, the applicant or operator of the development shall as soon as possible and not later than 28 days, submit a scheme of remedial measures to the Local Planning Authority to address the concerns raised with details of a timescale for implementation of the works. The works shall be carried out in accordance with the approved details and timetable.

37

Prior to the store first opening to the public the long and short stay cycle parking shown on drawing no. ZZ-XX-DR-A-990003 Rev P6 (Proposed Cycle Storage) shall be implemented as detailed on this plan. Thereafter it shall be retained and maintained for the lifetime of the development.

38

There shall be no idling of vehicles in the loading bay at any time when deliveries are taking place.

39

All retained trees indicated in the Arboricultural Report and Impact Assessment (AWA Tree Consultants, March 2024, Ref: AWA5903) shall be protected by protective fencing in accordance with BS5837:2012 prior to the commencement the development (including demolition), which shall be retained for the duration of the demolition and construction phases.

40

In undertaking the development that is hereby approved, unless otherwise agreed in writing with the Local Planning Authority: No external construction works, works of demolition, construction related deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

41

The store hereby approved shall only be open to the public between the hours 8am - 10pm on Mondays to Saturdays and Bank Holidays and 10am - 6pm on Sundays.

42

Deliveries to the store shall only take place between the hours 7am - 11pm. There shall be no deliveries whatsoever outside of these hours.