

**Committee Report**

<b>Application No:</b>	<b>DC/22/01257/FUL</b>
<b>Case Officer</b>	<b>Amy Dunbar</b>
<b>Date Application Valid</b>	<b>14 December 2022</b>
<b>Applicant</b>	<b>Mr Henry Liddell</b>
<b>Site:</b>	<b>Garage Block Adjacent 7 Glenbrooke Terrace Low Fell Gateshead Gateshead NE9 6AJ</b>
<b>Ward:</b>	<b>Low Fell</b>
<b>Proposal:</b>	<b>Proposed demolition of existing garages and erection of 1no. dwelling (C3 use) (amended site plan received 30.01.2023, bat survey report received 02.03.2023, additional plan received 09.03.2023, amended plans received and description amended 25.05.2023 and 01.06.2023, vehicle tracked drawing received 30.06.2023).</b>
<b>Recommendation:</b>	<b>MINDED TO GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:**

**1.1 DESCRIPTION OF SITE**

The application site consists of a parcel of land occupied by a block of 7no. garages and an area of hardstanding situated between 7 Glenbrooke Terrace and 9 Glenbrooke Terrace. The application site also includes the access lane to the rear of Nos. 1-7 Glenbrooke Terrace which connects Earls Drive to Glenbrooke Terrace.

1.2 The site is bound by existing residential properties. The access lane is currently used to access the block of garages as well as gardens/ allotments and private garages.

**1.3 DESCRIPTION OF APPLICATION**

The application proposes to demolish the existing block of garages and construct a 5-bedroom detached dwelling. The property would be a two-storey dwelling with habitable rooms in the loft space.

1.4 The proposed dwelling would be constructed from materials that would reflect that of the surrounding residential properties i.e. red facing brickwork, grey roof tiles.

**1.5 RELEVANT PLANNING HISTORY**

DC/04/00457/FUL 5 Glenbrooke Terrace- Planning permission granted for erection of detached garage on land to rear of dwellinghouse. Dated 11th May 2004.

## **2.0 Consultation Responses:**

Tyne and Wear Archaeology Officer

No Objections

## **3.0 Representations:**

3.1 Neighbour notifications were issued on 19th December 2022 and 12th June 2023. A site notice was displayed on 4th January 2023 as well as 13th August 2024 in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. The final date for receipt of representations, given on the most recent site notice, is 4 September 2024.

3.2 16 individuals have submitted letters of objection (24 letters in total) which have been received from 13 different households. These are summarised below:

- Inadequate parking
- Increase in traffic
- Highway safety- vehicles unable to exit lane in forward gear
- Out of character with street scene
- Out of character with conservation area
- Impact on visual amenity
- Overbearing
- Loss of natural light
- Loss of privacy
- Overdevelopment
- Additional noise
- Disturbance early mornings/ late evenings
- Impact on bats/habitat
- Loss of trees
- Private rights of access to rear of Glenbrooke Terrace impacted
- Use of back lane as a public right of way
- Existing garages have been left to fall into disrepair

- Loss of a local amenity space
- Impact on property value
- Construction phase would be disruptive- deliveries and machinery
- Neighbour notification not adequate
- Refuse would be difficult
- Proposal will attract potential vandals
- Impact on emergency vehicle access
- Party wall agreement has not been agreed

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS9 Existing Communities

CS10 Delivering New Homes

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

MSGP8 Digital Infrastructure

MSGP12 Housing Space Standards

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP18 Noise

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP25 Heritage

MSGP27 Archaeology

MSGP29 Flood Risk Management

MSGP36 Woodland, Trees and Hedgerows

MSGP37 Biodiversity and Geodiversity

MSGP48 Waste Management Facilities - New Dev

## **5.0 Assessment of the Proposal:**

5.1 The key considerations to be taken into account when considering this planning application are the principle of the development and potential impacts on designated heritage assets, visual amenity, residential amenity, highway safety, ecology and land conditions.

### **5.2 HOUSING POLICY**

Policy CS11 of the CSUCP specifies that 60% of new private housing across the plan area should be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. Furthermore, Policy CS9 seeks to ensure that existing communities will be sustainable places of quality and choice. This should be achieved by, amongst other things, maintaining a range of housing types and sizes throughout the plan area.

5.3 The site is not allocated for any specific purpose and is therefore classed as a windfall housing site. The proposed development would provide a large family home with five bedrooms and outdoor space in an established residential area which accords with policies CS9, CS10 and CS11 of the Local Plan for Gateshead.

### **5.4 RESIDENTIAL SPACE STANDARDS**

Policy CS11(4) requires that new residential development provides adequate space inside and outside of the home to meet the needs of residents.

5.5 Policy MSGP12 requires new residential development to, at minimum, achieve the Nationally Described Space Standards (NDSS) in order to ensure adequate space is provided inside the home and therefore ensuring new homes are of a high standard and quality.

5.6 The proposed floor plans demonstrate the development would provide a 5-bedroom, 2 storey dwelling. The minimum gross internal floor area for a dwelling this size with a minimum provision of 5 bed spaces is 110m<sup>2</sup> including 3.5m<sup>2</sup> of built-in storage. This value increases to 128m<sup>2</sup> where 8 bed spaces are proposed. The floor plans indicate a gross internal floor area of approximately 179 m<sup>2</sup> therefore these

minimum space requirements would be achieved as would the minimum width and floor area requirements necessary for accommodating a double and single bedspace.

5.7 It is considered that the proposal presents a spacious, family-sized home that would provide an adequate amount of internal and external living space for future occupiers which would contribute towards providing a good standard of amenity and is therefore in accordance with policies CS11 and MSGP12 of the Local Plan for Gateshead.

#### 5.8 VISUAL AMENITY/ IMPACT ON CONSERVATION AREA

The NPPF requires that, amongst other things, new development is sympathetic to local character and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

5.9 The application site is located within the Low Fell Conservation Area therefore the design of the proposed development should maintain or enhance the historic character of the area. The site is situated in a part of the conservation area which is strongly influenced by Victorian terraces constructed from red brick and featuring stone dressings and slate roofs.

5.10 The application site is located on the southern boundary of the conservation area with the late Victorian style terraced houses (1-7 Glenbrooke Terrace) being part of the conservation area and the adjacent early 20th century semi-detached properties (No.9 onwards) being excluded. The site forms a gap between the two generations of housing.

5.11 The retention of a gap between these houses is not essential to maintain the character of the heritage asset provided any infill development is of a sympathetic and good quality design; which the proposed development is considered to be.

5.12 It is considered that the proposed demolition of the garage block and loss of a through access road would not adversely affect the historic character of the area.

5.13 The proposed dwelling incorporates complementary design features such as the front bay window as well as the feature head and cills on the windows which would tie in with the architecture of 1-7 Glenbrooke Terrace. The proposed dwelling would have a similar massing to the adjacent terrace with a similar ridge height however it would be set back from the established building line with a slightly lower eaves height.

5.14 Although the design of the proposed dwelling would resemble the adjacent terraced housing it would not be an exact replica allowing it to also tie in with the semi-detached properties on this street.

5.15 The dwelling would be constructed from red facing brickwork to match that of the adjacent dwellings and what appears to be stone detailing around the front elevation windows as well as a grey tiled roof. The rear elevation appears to feature a rendered finish. Overall, it is considered that the design of the dwelling is

sympathetic to the appearance of the street scene and would form a satisfactory linking development in the street.

5.16 To ensure the proposed materials would be in keeping with the character of the surrounding area, a condition has been attached relating to the proposed materials (conditions 3 and 4).

5.17 It is noted that the rear access lane behind Glenbrooke Terrace is used by residents as an amenity space and features trees, planting, compost bins etc. The road surface has become overgrown with grass/moss. The proposed site plan suggests that these features would be retained. To ensure that any changes to the surface treatment along the access road is appropriate, a condition has been attached requiring details of all hardstanding to be submitted for consideration.

5.18 The design of the development in terms of its layout, form and materials would ensure a good architectural design, therefore it is considered that the development would not have a harmful impact on the character and appearance of the wider street scene or designated heritage asset in accordance with policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

#### 5.19 ARCHAEOLOGY

The application has been assessed by the Tyne and Wear Archaeology Officer, it is considered that the proposed development would not have any significant impact on any known archaeological heritage assets therefore no archaeological work is required. The proposal is in accordance with the NPPF and policy MSGP27 of the Local Plan for Gateshead.

#### 5.20 RESIDENTIAL AMENITY

Paragraph 135 of the NPPF requires that planning policies and decisions should ensure that development will achieve a high standard of amenity for existing and future users. This is reflected in local policy CS14 of the CSUCP which requires that the wellbeing and health of communities will be maintained and improved by preventing negative impacts on residential amenity.

5.21 Policy MSGP17 recognises amongst other things, that existing residential areas are vulnerable to amenity issues where building density is increased as a result of redevelopment to create new building plots particularly as a result of a loss of privacy and reasonable levels of outlook.

5.22 The proposed dwelling would be situated adjacent to the blank gable end of 7 Glenbrooke Terrace. The rear offshoot associated with this property features a habitable room window at ground floor and first floor level, serving a kitchen and bedroom, facing onto the application site. There are also two windows located on the rear elevation of No.7, serving a dining room and bedroom, which face onto the private yard area associated with this property.

5.23 The proposed dwelling would project beyond the rear building line of No.7 by a total distance of 5.4 metres, 2.5 metres would be two storey level and the remainder would drop down to single storey level.

5.24 An assessment of the two windows on the rear elevation of No.7 has been carried out using the 45-degree rule. Measured from the midpoint of the windows, the two-storey element of the proposed dwelling would not interfere with a 45-degree angle therefore it is not considered that there would be an unacceptable increase in overshadowing or significant loss of natural light to these rooms. Given the current arrangement in which these windows are bound by the rear elevation of the single storey garage block, it is considered that the single storey element of the proposed dwelling would have a similar impact on these windows with regard to light/overshadowing.

5.25 The proposed dwelling would be situated within 7.2 metres of the rear offshoot of No.7 which features habitable room windows facing towards the application site. The single storey element has been incorporated into the design of the proposed dwelling to ensure that the outlook from these windows was not limited to an unacceptable degree i.e. the first-floor window would have a direct outlook over the single storey element of the proposed dwelling rather than at a blank two storey elevation. The ground floor habitable room window, serving a kitchen, currently has an outlook onto the blank rear elevation of the garage block therefore it is already subject to a limited outlook and exposure to natural light. The proposed arrangement is not considered to result in a loss of outlook and light to degree that is considered significantly more impactful than the current arrangement.

5.26 The proposed dwelling would also be situated adjacent to 9 Glenbrooke Terrace. The side elevation of this property features two windows serving a bathroom and landing which are non-habitable rooms. Furthermore, the closest first floor window on the rear elevation serves a bathroom which again is a non-habitable room window.

5.27 The rear ground floor window nearest to the development site does serve a kitchen therefore an assessment was carried out using the 45-degree rule. Again, the two-storey element of the proposed dwelling would not interfere with a 45-degree angle drawn from the midpoint of this opening therefore it is not considered that there would be an unacceptable increase in overshadowing, nor would the development have an overbearing impact on No.9. This property is situated to the south of the development site therefore, taking into consideration the movement of the sun throughout the day, it is not considered that there will be any significant loss of natural light to this property.

5.28 Objections have been raised with regard to the impact the proposed dwelling would have on the level of sunlight received in the rear garden of No.9 Glenbrooke Terrace. Taking into consideration the movement of the sun throughout the day in relation to the position of this garden and the proposed dwelling, it is acknowledged that less sunlight will be received in the evening during the summer months but not to a degree that is considered unacceptable.

5.29 The proposed side elevations of the new dwelling would feature two small bathroom windows and a larger landing window in the loft space, all of which are non-habitable rooms and would not directly face windows belonging to adjacent dwellings. To avoid any scope for overlooking of either adjacent property, a condition

has been attached which requires these windows to be fitted with obscure glazing at all times (condition 5).

5.30 Overall, it is considered that the position, size, and scale of the proposed dwelling in relation to No.7 and No.9 Glenbrooke Terrace would not result in an unacceptable degree of harm to the amenity of residents occupying these properties or the wider area.

5.31 The site is located within a residential setting therefore there is likely to be an increase in noise disturbance to nearby residents during the construction phase. Should planning permission be granted it would be necessary to condition the hours of construction (condition 6).

5.32 It is considered that the proposed development would provide an acceptable standard of amenity for neighbouring and proposed occupiers, having regard to light, outlook, privacy and noise. Therefore, it is considered that the proposal is in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

#### 5.33 PARKING/ HIGHWAY SAFETY

In terms of parking, the MSGP sets out minimum car parking requirements for all use classes. In this case, a premises falling under use class C3 would require a minimum provision of one car parking space per dwelling. Furthermore, at least one cycle parking space must be provided.

5.34 The application proposes to utilise the existing vehicle access road off Earls Drive to access the rear of the proposed dwelling where two car parking spaces would be provided, one within a garage and one on a driveway. A driveway would also be provided at the front of the new dwelling, the existing access off Glenbrooke Terrace would be utilised.

5.35 Transport Officers have noted that this would constitute an overprovision of parking by 0.5 spaces. Several neighbour representations have been submitted raising concerns about the impact of the development on demand for parking in the area, taking this into account the proposed overprovision of onsite parking is considered appropriate in this case.

5.36 The proposed site plan demonstrates that secure and weatherproof cycle storage would be provided within the garage, in order to encourage the use of sustainable transport, a condition has been attached to ensure that the cycle storage is implemented on site (condition 7).

5.37 A number of objections have been raised regarding the future use of the rear access road behind Glenbrooke Terrace, specifically cars potentially not being able to exit the road in forward gear and being forced to reverse out onto Earls Drive. The application is supported by vehicle tracked drawings which demonstrate that sufficient space has been provided to allow vehicles, associated with the new dwelling to manoeuvre within the site and exit in a forward gear.



5.38 Overall, it is not anticipated that the addition of 1no. dwelling at this site would generate a demand for parking that would result in excessive or unsafe parking in the surrounding area nor would it result in vehicles manoeuvring the rear access road in an unsafe manner.

5.39 It is not considered that the proposed residential development would have an unacceptable impact on highway capacity, highway safety or parking provision. It is considered that the proposal complies with the NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

#### 5.40 ECOLOGY AND BIODIVERSITY

The application has been assessed by the Council's Ecologist. Based upon the information submitted, there has been no requirement for an ecological survey to be undertaken at this site however it is recognised that construction activities have the potential to impact upon protected/priority species via destruction of bat roosts if present, disturbance to roosting bats should they be present in the building during works, destruction of active bird nests and loss of bird nesting provision. There is also the potential for any increase in external lighting levels to have a negative impact on foraging/commuting bats using the site and adjacent habitats.

5.41 Given the above, a Preliminary Roost Assessment including dusk emergence survey, undertaken 19th July 2022, has been submitted to support this application which concludes that there is likely to be an absence of roosting bats at this site. This assessment was carried out over 2 years ago and the report states that if works do not commence on site by July 2024, an updated assessment will be required. Given that this is the case, a condition has been attached requiring that prior to the commencement of the development, an updated bat survey must be undertaken and a report, including updated mitigation measures, be submitted to the Local Planning Authority for review (conditions 8 and 9).

5.42 Notwithstanding the conclusion of the updated bat survey, to minimise harm to foraging and commuting bats and to generally benefit statutory protected species it is recommended that conditions are attached regarding the addition of any external lighting as well as the incorporation of bat and bird boxes (conditions 10-13).

5.43 The application was received before the introduction of the mandatory requirement of a 10% net gain in biodiversity and therefore it is exempt from assessment under that legislation. Policy CS18, expects new development to provide a net gain in biodiversity and is relevant. The application site comprises the existing garage block and access lane, running between Earls Drive and Glenbrooke Terrace, both of which are predominantly hard surfaced. The potential for the garage block to provide a suitable habitat for bats has been considered above, and relevant conditions recommended. No changes are proposed to the majority of the access lane, so any vegetation growing through or alongside it, would be unaffected by the development. Furthermore, due to its location in a Conservation Area, consent would be required for works to any trees (however, for the avoidance of doubt no such works are included in this application).

5.44 Subject to compliance with conditions, the proposal is considered to be in accordance with policies CS18 and MSGP37 of the Local Plan for Gateshead.

#### 5.45 WASTE MANAGEMENT

The application proposes to store bins at the front of the dwelling which is a similar arrangement at other properties on Glenbrooke Terrace. Overall, it is considered that the plot is of ample size in which to store wheeled bins and the site has sufficient access to the existing road for emptying therefore the proposal is in accordance with policy MSGP48 of the Local Plan for Gateshead.

#### 5.46 CONTAMINATED LAND

The application site has been assessed and inspected as part of the Council's Contaminated Land Strategy and has been identified as being located on potentially contaminated land and based on its current use.

5.47 A Phase I Report has been submitted with the application based on the findings of which a Phase II intrusive site investigation is required to investigate potential contaminated issues at the site.

5.48 The site is also located in an area containing coal measures which are a potential source of methane and carbon dioxide. It is therefore likely that gas monitoring will need to be undertaken and gas protection measures incorporated into the construction of the dwelling.

5.49 Given the potential risk from land contamination, an intrusive site investigation would be necessary to identify possible contamination and areas that will require remedial works therefore relevant conditions regarding land contamination have been attached (condition 14- 18). Subject to compliance with these conditions, the proposal is considered to be in accordance with policies CS14 and MSGP20 of the Local Plan for Gateshead.

#### 5.50 LAND STABILITY

The application site is not situated within an area defined by The Coal Authority as being a 'Development High Risk Area'. The application is supported by a Coal Mining Risk Assessment which concludes that there is no evidence that coal mining legacy issues would pose a risk to the development. It is not considered necessary to condition that further investigations regarding coal legacy are carried out at this site and the proposal is in accordance with policies CS14 and MSGP20 of the Local Plan for Gateshead.

#### 5.51 FLOOD RISK AND DRAINAGE

The application site is located within Flood Zone 1 and has a site area of less than 1 hectare; therefore there is no requirement for a Flood Risk Assessment to be submitted in this instance. The application is not for major development therefore a scheme for a sustainable drainage system is not required. The application would accord with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

#### 5.52 DIGITAL INFRASTRUCTURE

MSGP8 states that 'The necessary physical infrastructure to enable access to information and digital communication networks will be integrated into all appropriate new developments.' The supporting text clarifies that all proposals for new dwellings and new business premises will be required to demonstrate that engagement has

taken place with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development. The requirements of this policy will be satisfied by the submission of a statement (required either at application stage or through a planning condition) explaining the outcome of this engagement. As such, a relevant condition has been attached (condition 19).

#### 5.53 OTHER MATTERS

The application site was subject to a separate application for a Definitive Map Modification Order (DMMO) to claim a Byway Open to All Traffic from Earls Drive to Glenbrooke Terrace. This effectively meant that the planning application had to be 'put on hold' while this separate application was determined. The application for a DMMO was heard by the Rights of Way Committee on 15th July 2024 where it was refused. The rear access road is not a designed Byway Open to All Traffic.

5.54 Objections have been put forward which concern matters that are not considered material planning issues and therefore cannot be taken into consideration. These are:

- Party Wall Agreements
- Impact on property values
- Physical state of existing garage block

#### 5.55 COMMUNITY INFRASTRUCTURE LEVY (CIL)

On 1st 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 the development is within residential CIL Zone C, which has a charge of £0 per sqm.

### 6.0 CONCLUSION

Taking all of the relevant issues into account, including third party representations, it is considered that the proposed development is acceptable and accords with the relevant national and local planning policies.

#### 7.0 Recommendation:

Authorise Service Director of Climate Change, Compliance, Planning and Transport to deal with at the end of the publicity period (4<sup>th</sup> September 2024) after consultation with the Vice-Chair with a view to GRANT permission 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 -

PL\_1048\_001 Location Plan

PL\_1048\_301 Revision B Proposed Ground and First Floor Plans

PL\_1048\_302 Revision B Proposed Attic and Roof Plans

PL\_1048\_303 Revision B Proposed Elevations

PL\_1048\_304 Revision B Proposed Street Elevation  
PL\_1048\_102 Revision E Proposed Site Plan  
PL\_1048\_102 Revision E Proposed Site Plan (Showing vehicle tracking)

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

Reason

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

2

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

The development hereby approved shall not be constructed beyond damp proof course level until a specification of all materials, colours and finishes to be used on all external surfaces, including any areas of hardstanding, have been submitted to and approved in writing the Local Planning Authority.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and Policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

4

The specification of materials approved under Condition 3 shall be implemented in full accordance with the approved details and retained for the lifetime of the development.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF and Policies CS15, MSGP24 and MSGP25 of the Local Plan for Gateshead.

5

The windows located on the side elevations of the dwelling serving bathrooms and a landing area shall be obscurely glazed at a level three or greater (in accordance with the levels set by Pilkington). The glazing shall be installed prior to the dwelling being occupied and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy of neighbours and future occupiers of the dwelling in the interests of residential amenity in accordance with the NPPF and policies CS14 and MSGP17 of the Local Plan for Gateshead.

6

All works associated with the development hereby permitted, including the use of any equipment on the site, related to the demolition or construction hereby permitted shall be carried out only between 08:00 hours and 17:00 hours Monday to Friday, between 08:00 hours and 13:00 hours on Saturday and at no time on Sundays or Bank Holidays.

Reason

To safeguard the amenities of nearby residents and in accordance with the NPPF and policies CS14, MSGP17 and MSGP18 of the Local Plan for Gateshead.

7

Prior to the first occupation of the dwelling, secure and weatherproof cycle storage, capable of storing at least one bicycle, shall be provided on site and thereafter permanently retained.

Reason

In order to ensure adequate provision for cyclists and in compliance with Policies CS13 and MSGP15 of the Local Plan for Gateshead.

8

Prior to the commencement of the development, including the demolition of the garage block, an updated bat survey shall be undertaken and a copy of the report including details of proposed mitigation measures shall be submitted to the Local Planning Authority. All survey work and reporting shall be undertaken in accordance with the BCT Bat Surveys Good Practice Guidelines (3rd Edition).

Reason

To avoid/minimise harm to roosting, foraging and commuting bats and to maintain the favourable conservation status of the local bat population at or above current levels in accordance with the NPPF and policies CS18 and MSGP37.

Reason for pre-commencement condition

To determine the presence/ likely absence of statutory protected species.

9

The updated bat survey and mitigation measures hereby approved shall be implemented in full throughout the construction phase and any mitigation measures retained for the life of the development.

Reason

To avoid/minimise harm to roosting, foraging and commuting bats and to maintain the favourable conservation status of the local bat population at or above current levels in accordance with the NPPF and policies CS18 and MSGP37.

10

Prior to the installation of any new external lighting associated with the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

11

The external lighting approved under Condition 10 shall be installed in full accordance with the approved details.

Reason

To prevent harm to foraging and commuting bats, in accordance with the NPPF and policies CS18 and MSGP37 of the Local Plan for Gateshead.

12

The development hereby approved shall not be constructed beyond damp proof course level until information detailing the provision of a minimum of 1no. bat box and 1no. bird box has been submitted to and approved in writing by the Local Planning Authority. Information should detail the type/specification, precise location, installation method and maintenance of the bat box.

Reason

To safeguard bat foraging and commuting habitat and bird nesting in accordance with the National Planning Policy Framework and policies CS18 and MSGP37 of the Local Plan for Gateshead.

13

The bat and bird boxes shall be installed in accordance with the details approved under Condition 12 prior to the first occupation of the dwelling and retained as such thereafter.

Reason

To safeguard bat foraging and commuting habitat in accordance with the National Planning Policy Framework and policies CS18 and MSGP37 of the Local Plan for Gateshead.

14

Prior to the commencement of the development, (except for demolition) a Phase 2 Intrusive Investigation and Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

The site investigation should collect and analyse soil samples throughout made ground and natural ground strata to maximum planned excavation depths and include an assessment to test for the presence and likelihood of ground gas emissions.

The site investigation will identify potential contamination and possible areas, which may require remedial works in order to make the site suitable for its proposed end use. 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.

Reason

To ensure that risks from land contamination to the future users of the site 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 National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

15

Unless otherwise approved in writing by the Local Planning Authority and prior to the commencement of the development, (except for demolition) 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 environment must be prepared, and submitted for approval in writing by 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 National Planning Policy Framework and Policies CS14 and MSGP20 of the Local Plan for Gateshead.

16

Unless otherwise approved in writing by the Local Planning Authority and prior to the commencement of the development, (except for demolition) the contaminated land remediation measures shall be implemented in complete accordance with the details approved under Condition 15.

Reason

To ensure that risks from land contamination to the future users of the site 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 National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

17

If land contamination remediation measures are deemed necessary, following the completion of the approved remediation measures and prior to the first occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to the Local Planning Authority for written approval.

Reason

To ensure that risks from land contamination to the future users of the site 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 National Planning Policy Framework and policies CS14 and MSGP20 of the Local Plan for Gateshead.

18

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.



If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

**Reason**

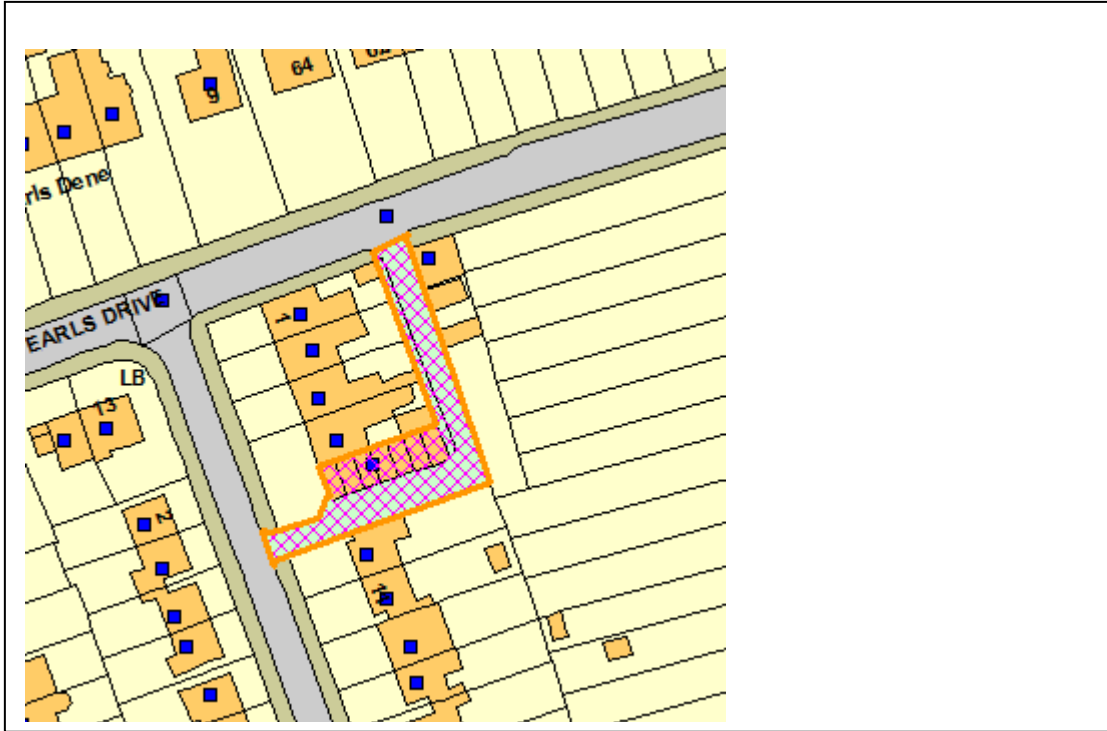
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS14 and MSGP20 of the Local Plan for Gateshead.

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Prior to the first occupation of the dwelling hereby approved a statement explaining the outcome of engagement with more than one digital infrastructure provider to explore how digital communication networks can be integrated into the development shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure necessary physical infrastructure to enable access to information and digital communication networks at the new development, in accordance with the NPPF and policy MSGP8 of the Local Plan for Gateshead.



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