

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Grant of Planning Permission

To: Bellway Homes (North East)
c/o Lichfields
Mr Michael Hepburn
Saint Nicholas Building
Saint Nicholas Street
Newcastle upon Tyne
NE1 1RF

PARTICULARS OF APPLICATION

RECEIVED: 2 March 2018

REFERENCE: 2018/0382/01/DET

PROPOSAL: Hybrid planning application: Detailed permission for 198 residential properties (Use Class C3), access, associated highways infrastructure, landscaping, public open space and sustainable urban drainage features and Outline permission for residential development of 702 residential properties (Use Class C3), associated works, a local centre (Use Class A1 and/or D1), a footbridge over the A69 and allotments (allotments area increased as per plan received 02.10.2018), (revised description) with all matters reserved except for points of access - total of up to 900 residential properties, additional information and amendments relating to Layout, Highways, Offsite Pedestrian and Cycle Infrastructure, Arboriculture and Biodiversity received 27.07.2018, 12.09.2018, 25.09.2018 and addendum to Environmental Statement in relation to Landscape and Visual Assessment (Chapter D), Biodiversity (Chapter E), Transport (Chapter H) and Mitigation, Monitoring and Cumulative Effects (Chapter L) received 03.08.2018

LOCATION: Land At Lower Callerton, West of North Walbottle Road and North and South of A69, Newcastle upon Tyne

APPLICANT: Bellway Homes (North East)

Particulars of Decision:

Date of Decision: 26 June 2019

The development granted under this planning permission will be liable to make financial payments in accordance with the Newcastle upon Tyne Community Infrastructure Levy. Please ensure an assumption of liability form has been sent to the local planning authority setting out who will be taking liability for the payment of the levy. Please note that if no party assumes liability to pay the levy before development commences, the owner of the land will be liable to pay the levy for the

GRDEZT

All correspondence to:
Development Management
Civic Centre
Newcastle upon Tyne
NE1 8QH

2018/0382/01/DET

Kath Lawless

ASSISTANT DIRECTOR OF PLANNING

whole development in full. Further information on the Newcastle upon Tyne Community Infrastructure Levy can be found on the Council's web site at: www.newcastle.gov.uk/cil. The assumption of liability form can be sent by email to cil@newcastle.gov.uk

Planning permission granted for development in accordance with the information contained in the application **subject to the following conditions:**

- 1 The detailed planning permission hereby approved shall begin not later than the expiration of three years beginning with the date of this decision. Application for approval of details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for the first phase of the reserved matters of the outline development hereby approved shall be made to the local planning authority not later than three years from the date of this permission. Application for approval of all of the reserved matters relating to the outline permission hereby approved for all later phases shall be made not later than eight years from the date of this permission. All reserved matters development shall begin either before the expiration of two years from the date of approval of the last of the reserved matters for that phase, or before the expiration of eight years from the date of this permission, whichever is the later.

Reason: As required by Section 91-94 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 (i)The detailed permission for 198 dwellinghouses to which this permission relates shall be carried out in accordance with the approved plans referenced:

Detailed Area

Planning Layout (Extract) - 967-BEL-14-002-P01-H
Adoptable Highways Plan - 967-BEL-14-002-P04-D
Surface Treatment Plan - 967-BEL-14-002-P05-D
Boundary Treatment Plan - 967-BEL-14-002-P06-D
Landscape Masterplan - NT13085 / Figure D1.17 Rev B

Garden Village Housetypes

The Cutler Floor Plans - CU-4B-2S-P1
The Cutler Elevations - CU-4B-2S-TF-E
The Bowyer Floor Plans - BO-4B-2S-P1
The Bowyer Elevations - BO-4B-2S-TF-E
4B-7P M42 - Planning - Floor Plans - A/1550/00/TF/01
4B-7P M42 - Planning - Elevations - A/1550/00/TF/02
The Weaver Floor Plans - WE-4B-2S-P1
The Weaver Elevations - WE-4B-2S-TF-E
The Watchmaker Floor Plans - WA-5B-2S-P1
The Watchmaker Elevations - WA-5B-2S-TF-E
The Draper Floor Plans - DR-5B-2S-P1
The Draper Elevations - DR-5B-2S-TF-E

Suburban Character Housetypes

The Blacksmith Floor Plans - BL-2B-2S-P1
The Blacksmith Elevations - BL-2B-2S-CB-E
Apartments Floor Layouts - 452-000a
Apartments Elevations - 452-000b

The Cooper Floor Plans - CO-2B-2S-P1
The Cooper Elevations - CO-2B-2S-CB-E
The Tailor Floor Plans - TA-3B-2S-P1
The Tailor Elevations - TA-3B-2S-CB-E
The Glazier Floor Plans - GL-3B-2S-P1
The Glazier Elevations - GL-3B-2S-CB-E
The Chandler Floor Plans - CH-3B-2S-P1
The Chandler Elevations - CH-3B-2S-CB-E
The Quilter Floor Plans - QU-3B-2S-P1
The Quilter Elevations - QU-3B-2S-CB-E
The Carver Floor Plans - CA-3B-2S-P1
The Carver Elevations - CA-3B-2S-CB-E
3B-5P - Planning - Floor Plans - A/1129/00/CB/01
3B-5P - Planning - Elevations - A/1129/00/CB/02

The Scrivener Floor Plans - SC-4B-2S-P1
The Scrivener Elevations - SC-4B-2S-CB-E
The Milliner Floor Plans - MI-4B-2S-P1
The Milliner Elevations - MI-4B-2S-CB-E
The Cutler Floor Plans - CU-4B-2S-P1
The Cutler Elevations - CU-4B-2S-CB-E
The Bowyer Floor Plans - BO-4B-2S-P1
The Bowyer Elevations - BO-4B-2S-CB-E
4B-7P M42 - Planning - Floor Plans - A/1550/00/CB/01
4B-7P M42 - Planning - Elevations - A/1550/00/CB/02
The Weaver Floor Plans - WE-4B-2S-P1
The Weaver Elevations - WE-4B-2S-CB-E
The Watchmaker Floor Plans - WA-5B-2S-P1
The Watchmaker Elevations - WA-5B-2S-CB-E
The Draper Floor Plans - DR-5B-2S-P1
The Draper Elevations - DR-5B-2S-CB-E

(ii) Outline permission for residential development of up to 702 residential properties, a local centre, footbridge and allotments to which this permission relates, shall be carried out in general accordance with the following approved plans referenced:

Planning Layout - 967-BEL-14-002-P02-M
Landscape Masterplan - NT13085 / Figure D1.17 Rev B
Building Scale Parameters - 967-BEL-14-002-P701-B
Land Use Parameters - 967-BEL-14-002-P702-B
Landscape Parameters - 967-BEL-14-002-P703-B
Density Parameters - 967-BEL-14-002-P704-B
Landmarks and Focal Points Parameters - 967-BEL-14-002-P705-B
Character Areas Parameters - 967-BEL-14-002-P706-B

- 3 Development shall be carried out in accordance with the approved phasing plan (ref 14-002-P90), unless otherwise agreed in writing with the local planning authority, with not less than 75% of the dwellings hereby approved shall have 3 or more bedrooms and private outdoor amenity space.
Reason: To ensure the delivery of family homes and in the interests of sustainable development in accordance with Policies CS1, CS9, CS11 and NN1 of the Core Strategy and Urban Core Plan

4 Development shall not take place in any given phase until a Construction Method Statement relating to that phase has been submitted to, and approved by, the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- o details of temporary traffic management measures, temporary access, routes and vehicles;
- o wheel washing facilities;
- o the parking of vehicles of site operatives and visitors;
- o the loading and unloading of plant and materials;
- o storage of plant and materials used in constructing the development;
- o measures to control vibration;
- o measures to control the emission of dust and dirt;
- o a scheme for the recycling and disposing of waste as a result of construction works;
- o hours of operation and delivery, comprising 0800 hours to 1800 hours Monday to Friday and 0800 to 1300 hours on a Saturdays only with no works on a Sunday or Bank Holiday, unless otherwise agreed in writing by the local planning authority;
- o the erection and maintenance of security hoardings and fencing;
- o communication plan for liaising with the public;
- o prevention of pollution of watercourses during the construction phases.

Reason: To prevent pollution, nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies H2, POL7 and T7.1 of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect residential amenity.

5 Development shall not commence in any given phase until details of fencing and other measures (including special construction techniques) to protect trees or other landscape features to be retained within that phase have been submitted to and approved in writing by the Local Planning Authority and erected on site in accordance with the approved details. The fencing and other measures shall be retained intact for the duration of construction works and there shall be no access, storage, ground disturbance or contamination within the tree protection area. Where access is required into the tree protection area this shall be in accordance with a method statement provided as part of the approved details.

Reason: To ensure the protection of existing landscape features, in line with advice contained in the current version of British Standard 5837 "Trees in relation to construction", in the interests of visual amenity in accordance with saved policies NC1.7, EN3 and EN3.2 of the Unitary Development Plan.

6 Development shall not commence in any given phase until details of; specification and location of bat and bird boxes and hedgehog hibernacula, including a schedule for implementation, relating to that phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in accordance with the agreed programme and thereafter retained in accordance with the approved scheme.

Reason: In order to provide enhancement of habitats for bat and bird species in accordance with the National Planning Policy Framework and saved Policy NC1.7 of the Unitary Development Plan and Policy CS18 of the Core Strategy and Urban Core Plan.

- 7 No works to trees shall be undertaken until a bat working method statement in relation to these works has been submitted to and approved in writing by the Local Planning Authority. Works to trees shall then proceed in accordance with the agreed statement.
Reason: In order to ensure the preservation of a protected wildlife species and its habitat in accordance with its protected status under the Wildlife and Countryside Act 1981, in accordance with the National Planning Policy Framework and saved Policy NC1.7 of the Unitary Development Plan and Policy CS18 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the landscape and nature conservation value on the site are protected against damage at the commencement of development on site and their long-term management.
- 8 No dwelling shall be occupied in any given phase until details of replacement hedge planting within that phase and the timetable for implementation and future maintenance and management arrangements have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the planting shall be implemented in accordance with the approved details, to the agreed timetable and be maintained in accordance with the approved details.
Reason: To provide landscape enhancements and mitigation in the interests of the visual amenity of the area, in accordance with the National Planning Policy Framework and saved Policies NC1.7, EN3 and EN3.2 of the Unitary Development Plan and Policies CS15 and CS18 of the Core Strategy and Urban Core Plan.
- 9 Development shall not take place in any given phase until a detailed Remediation Scheme, relating to that phase, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to, and approved by, the Local Planning Authority. The Remediation Scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation 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. Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme.
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 saved Policy POL6 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan . The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect future users of the site.
- 10 The Approved Remediation Scheme for any given phase shall be implemented in accordance with the approved timetable of works for that phase. Within six months of the completion of measures identified in the Approved Remediation Scheme and prior to the occupation of any dwelling in that phase, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.
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 saved Policy POL6 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.

- 11 In the event that contamination is found at any time in any given phase 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 which shall be submitted to and approved in writing by the Local Planning Authority, in order to assess the nature and extent of any contamination on the site (whether or not it originates on the site). The details of the Investigation and Risk Assessment shall include measures to provide for:
- i a survey of the extent, scale and nature of contamination;
 - ii an assessment of the potential risks to:
 - o human health;
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - o adjoining land;
 - o ground waters and surface waters;
 - iii an appraisal of remedial options, and proposal of the preferred option(s).

The Investigation and Risk Assessment shall be implemented as approved and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination CLR11".

Where remediation is necessary for any given phase a Remediation Scheme must be prepared and submitted to the Local Planning Authority in accordance with the requirements of condition 10.

Following completion of measures identified in the Approved Remediation Scheme a verification report must be prepared and submitted in accordance with condition 11.

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 Policy CS17 of the Core Strategy and Urban Core Plan and Policy CS14 of the Core Strategy and Urban Core Plan .

- 12 Development shall not commence in any given phase until site investigation works in relation to the coal mining legacy of the site, which shall include ground gas monitoring have been undertaken. Prior to the commencement of development in that phase, a report of these findings works shall be submitted to and approved in writing by the Local Planning Authority. Reason: The coal mining legacy potentially poses a risk to the proposed development that requires further investigation prior to the commencement of development in order to establish the exact situation regarding coal mining legacy issues on the site, in accordance with the National Planning Policy Framework and saved Policy POL6 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect future users of the site and the environment.
- 13 In the event that the site investigations/gas monitoring required by condition 12 confirms the need for remedial works/mitigation to treat the areas of shallow mine workings/ to ensure the safety and stability of the proposed development, these remedial works/mitigation shall be undertaken prior to the commencement of development within any given phase, or to a timetable to be agreed in writing with the Local Planning Authority. Reason: To ensure that any identified risks from the coal mining legacy to the future users of the land and neighbouring land are minimised 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 Policy CS17 of the Core Strategy and Urban Core Plan and Policy CS14 of the Core Strategy and Urban Core Plan.

- 14 Development shall not commence until a badger working method statement has been submitted to and approved in writing by the Local Planning Authority. Development shall then proceed in accordance with the agreed statement.
Reason: In order to ensure the preservation of a protected wildlife species and its habitat in accordance with its protected status under the Wildlife and Countryside Act 1981, in accordance with the National Planning Policy Framework and saved Policy NC1.7 of the Unitary Development Plan and Policy CS18 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the landscape and nature conservation value on the site are protected against damage at the commencement of development on site and their long-term management.
- 15 No development shall commence in any given phase until an Estate Street Phasing and Completion Plan relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases, completion sequence and construction standards that estate streets serving each phase of the development will be completed. The development shall then be carried out in accordance with the approved Estate Street Phasing and Completion Plan.
Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policy H2, T.2 and T7.1 of the Unitary Development Plan and Policy CS13 of the Core Strategy and Urban Core Plan. The works are required to be submitted and approved in advance of works commencing on site to ensure the phasing and completion of highways is undertaken in a logical and timely manner.
- 16 No dwelling shall be occupied in any phase until details of proposed arrangements for future management and maintenance of the proposed streets within that phase, up to the point of adoption, have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling in each phase, the streets shall be maintained in accordance with the approved management and maintenance details.
Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policy H2, T.2 and T7.1 of the Unitary Development Plan and Policy CS13 of the Core Strategy and Urban Core Plan. The works are required to be submitted and approved in advance of first occupation on site to ensure the phasing and completion of highways is undertaken in a logical and timely manner.
- 17 No development shall commence in any given phase until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption by the local highway authority relating to that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework and saved Policy H2, T.2 and T7.1 of the Unitary Development Plan and Policy CS13 of the Core Strategy and Urban Core Plan. The works are required to be submitted and approved in advance of works commencing on site to ensure the phasing and completion of highways is undertaken in a logical and timely manner.

- 18 No dwelling in any given phase shall be occupied until details of electric vehicle charging points associated with that phase of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall then be occupied until the approved electric charging point(s) relating to that dwelling have been provided in accordance with the approved details and the charging points shall then be retained for use at all times thereafter.
Reason: In the interests of facilitating the use of electric vehicles to reduce the lifetime CO2 emissions arising from the development, in accordance with the National Planning Policy Framework and Policy CS13 of the Core Strategy and Urban Core Plan.
- 19 Development shall not commence in any phase until full and precise details of the design and location of all SuDS components relating to that phase have been submitted to and approved in writing by the Local Planning Authority. This will need to include all elements of the system along its full route from each dwelling to the offsite connection and a timetable for the implementation of each element. The details shall include discharge rates, sections, levels, water quality measures including temporary measures during construction, landscaping, bird hazard management, and details of the design and position of all retaining structures, basins, inlets, outlets, drains and gullies. Development shall be undertaken in accordance with the approved details.
Reason: To ensure that the development effectively manages surface water and ensures no deterioration in water quality, in accordance with the National Planning Policy Framework and policy CS17 of the Core Strategy and Urban Core Plan. This information is required prior to commencement of works on site in order that surface water and water quality is managed throughout the development process.
- 20 Development shall not commence in any phase until full details of the existing and proposed site levels, including finished floor levels, relating to that phase have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before any given phase of the development is brought into use.
Reason: In the interests of visual amenity of the area, in accordance with the National Planning Policy Framework and saved Policy EN1.1 of the Unitary Development Plan and Policy CS15 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the developments associated changes in ground levels would not impact upon visual amenity of the area.
- 21 No development shall be occupied in any given phase until details of bus stops and bus shelters, including a timetable for delivery and future maintenance arrangements have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the bus stops and bus shelters shall be implemented in accordance with the approved details, at the approved timetable and maintained in accordance with the approved details.
Reason: In the interests of sustainable development, in accordance with Policies CS1 and NN1 of the Core Strategy and guidance contained in the National Planning Policy Framework.
- 22 Prior to any works commencing within any phase of the development, a condition survey (including structural integrity) of the highways within the immediate vicinity of the site and appropriate roads which directly serve the site, to be used by construction traffic associated with that phase shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority and shall assess the existing state of the highway. On completion of that phase of the development, a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority,

which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policies CS13 and NN2 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.

- 23 No more than 130 dwellings shall be occupied until the Strategic Road Network highway improvements identified in Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne: 2015 - 2030, specifically the provision of an additional lane on the A1 in both directions, have commenced on site.
Reason: In the interests of sustainable development and highway safety, in accordance with Policies CS1, CS13 and NN1 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.
- 24 No more than 410 dwellings shall be occupied until details of a highway improvement scheme for the Stamfordham Road junction with the A1 (in accordance with that identified within Newcastle City Council's Newcastle Northern Land Release - Development Assessment report prepared by JMP Consultants Ltd and illustrated therein on drawing NEA9035-P-J9-001), has been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of sustainable development and highway safety, in accordance with Policies CS1, CS13 and NN1 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.
- 25 No more than 480 dwellings shall be occupied until the scheme identified in Condition 24 is implemented in accordance with the approved details and open to traffic, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of sustainable development and highway safety, in accordance with Policies CS1, CS13 and NN1 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.
- 26 No more than 550 dwellings shall be occupied until details of a highway improvement scheme for the North Brunton junction with the A1 (in accordance with that shown indicatively on drawing AEC_HGN_Z0_DR_D_00_005 (or a suitable alternative scheme to be agreed)), including the provision of an additional lane away from North Brunton to the Sacred Heart junction and approaching from the Rotary Way roundabout, as specified in Highways England's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne: 2010- 2030 Newcastle Junction Studies report, has been submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of sustainable development and highway safety, in accordance with Policies CS1, CS13 and NN1 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.
- 27 No more than 620 dwellings shall be occupied until the scheme identified in Condition 26 is implemented in accordance with the approved details and open to traffic, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of sustainable development and highway safety, in accordance with Policies CS1, CS13 and NN1 of the Core Strategy and Policy T7.1 of the Unitary Development Plan, and guidance contained in the National Planning Policy Framework.
- 28 Notwithstanding the submitted information, no construction of any dwellings shall take place in any given phase or subphase until details are submitted to, and agreed in writing by the Local Planning Authority demonstrating a minimum reduction in Dwelling Fabric Energy

Efficiency of 10% rated against Target Fabric Energy Efficiency within Part L1A of Building Regulations 2013 (as amended in 2016). This reduction will be an average figure calculated from all dwellings in any phase or subphase. Development shall then proceed in accordance with the approved details.

Reason: In order to achieve a sustainable form of development in accordance with the National Planning Policy Framework and policy CS16 of the Core Strategy.

- 29 Development shall not be occupied until the applicant has submitted maintenance programs for SuDS and drainage network features that consider both the functional and landscaping maintenance requirements. Details should include the tasks, task frequency and the allocation of duty responsibility through construction phase and beyond. Thereafter, the SuDS and drainage networks shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development effectively manages surface water and ensures no deterioration in water quality, in accordance with the National Planning Policy Framework and policy CS17 of the Core Strategy and Urban Core Plan. This information is required prior to commencement of works on site in order that surface water and water quality is managed throughout the development process.

- 30 Development shall not commence until the applicant has submitted specific measures to be implemented to protect the site's water course during the construction phase. The measures should follow the good practice guidance of CIRIA C650 and C532 and these shall be incorporated into works practices for the duration of the construction phase.

Reason: To ensure that there is no deterioration in water quality, in accordance with the National Planning Policy Framework and policy CS17 of the Core Strategy and Urban Core Plan. This information is required prior to commencement of works on site in order that water quality is managed throughout the development process.

- 31 Development shall not commence within any given phase until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter that phase of the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework and policy CS17 of the Core Strategy and Urban Core Plan. This information is required prior to commencement of works on site in order that surface water and water quality is managed throughout the development process.

- 32 No individual dwelling shall be brought into use until the recommended methods of sound insulation for that residential property (as outlined in the Noise Survey) hereby approved have been implemented. The methods of sound insulation shall thereafter be retained as such at all times.

Reason: To prevent nuisance from noise in the interests of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policies POL7 and H2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.

- 33 No groundworks or development shall commence within a given phase and the SUDs area until a programme of archaeological excavation has been completed within that phase. The archaeological excavation shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason: The site is located within an area identified as being of archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be

preserved wherever possible and recorded, in accordance paragraph 199 of the NPPF, Core Strategy Policies CS15 and UC14 and saved UDP policies C4.2, C4.3.

- 34 Within 6 months of the completion of the archaeological excavation within each phase and the SUDs area, undertaken in pursuance of condition 33, the final report of the results of the archaeological fieldwork undertaken in that phase shall be submitted to and approved in writing by the Local Planning Authority.
Reason: The site is located within an area identified as being of archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and NN1 and saved UDP policies C4.2, C4.3.
- 35 Within one year of the completion of the archaeological excavation on any given phase on this site, a report detailing the results of the archaeological fieldwork undertaken for that phase shall be produced in a form suitable for publication in a suitable and agreed journal and shall be submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.
Reason: The site is of archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and NN1 and saved UDP policies C4.2, C4.3.
- 36 Within six months of the completion of the archaeological excavation undertaken in pursuance of condition 33, the details of an interpretation panel of the Walbottle Moors Waggonway and prehistoric site shall be submitted to and agreed in writing by the Local Planning Authority. The approved interpretation panel shall be installed on site to an agreed timetable.
Reason: The site is of archaeological interest and the interpretation panel will enhance understanding of and will allow public access to the archaeological work undertaken in accordance with paragraph 199 of the NPPF, Core Strategy Policies CS15 and NN1 and saved UDP policies C4.2, C4.3.
- 37 None of the dwellings in the outline area shall be occupied until the applicant has submitted details of communal building and supporting infrastructure for the allotments including a timetable for delivery and future maintenance arrangements, and these details have been approved in writing by the Local Planning Authority. Thereafter, the communal building shall be provided in accordance with the approved details, to the agreed timetable and be maintained in accordance with the approved details at all times.
Reason: In order to ensure the provision of appropriate allotment facilities.
- 38 Construction works on the external elevational treatments of the development shall not commence on site until samples/details of the materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and H2 of the Unitary Development Plan and Policy CS15 of the Core Strategy and Urban Core Plan. The materials are required to be submitted and approved in advance of external elevational treatments works commencing on site to ensure they would not be harmful to the visual amenity of the area.
- 39 No dwellings shall be occupied until the boundary treatments relating to that dwelling, as shown on drawing number 14-002-P06 Rev B (Boundary Treatment Plan) have been

implemented in accordance with the approved details. The boundary treatments outwith residential curtilages shall be installed in accordance with the approved details within 3 months of the completion of the final dwelling. Following installation, the approved boundary treatments shall be retained at all times.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1 and T7.1 of the Unitary Development Plan and Policy CS15 of the Core Strategy and Urban Core Plan.

- 40 No dwellings shall be occupied until the refuse storage and cycle parking relating to that dwelling(s) has been implemented. The refuse storage and cycle parking shall be retained as such thereafter.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, T4.5 and T7.1 of the Unitary Development Plan.

- 41 No dwellings shall be occupied until the car parking area relating to that dwelling has been implemented in accordance with the approved details. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and saved Policies T4.5 and T7.1 of the Unitary Development Plan and Policy CS13 of the Core Strategy and Urban Core Plan.

- 42 Development shall not commence on the detailed planning permission until details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include existing trees, shrubs and other landscape features (indicating which are to be retained and which removed); planting plans, specifications and schedules; paving and other surface treatment; and items of landscape furniture. The approved landscape works shall be completed no later than the end of the first planting season following first occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. The approved landscape works shall be planted and maintained in accordance with the current versions of British Standards BS8545:2014 and BS4428 for a period of five years commencing on the date of Practical Completion of this phase and during this period any trees or plants which die or become diseased shall be replaced in the first available planting season with others of similar size and species and any grass that fails to establish shall be re-established.

Reason: In the interests of the visual amenity of the locality, in accordance with the National Planning Policy Framework and saved Policies NC1.7, EN1.1, EN3 and EN3.2 of the Unitary Development Plan and Policies CS15 and CS18 of the Core Strategy and Urban Core Plan. The details are required to be submitted and approved in advance of works commencing on site to ensure the developments landscaping is incorporated into the design of the development in the interests of visual amenity of the area.

- 43 None of the dwellings within the detailed section of the development area shall be occupied until the applicant has submitted details of play equipment including landscaping, management and maintenance and a timetable for implementation, and these details have been approved in writing by the Local Planning Authority. Following approval, the play equipment shall be implemented in accordance with the approved details, at the approved timetable and be maintained and managed in accordance with the approved details.

Reason: In the interest of amenity, in accordance with the National Planning Policy Framework, Policy NN1 of the Core Strategy and saved Policies OS1, OS1.2 of the Unitary Development Plan.

- 44 The subsequent reserved matters submissions relating to this development shall comply with the design code and principles established within the adopted Callerton Masterplan unless otherwise agreed in writing by the local planning authority.
Reason: In order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and saved Policy EN1.1 of the Unitary Development Plan and Policies CS3, CS15 and NN1 of the Core Strategy and Urban Core Plan.
- 45 No development shall take place within the part of the site hereby granted outline planning permission until the applicant has submitted details of the northern planting buffer, which shall be a minimum of 5m wide, and the timetable for implementation and future maintenance and management arrangements, and these details have been approved in writing by the Local Planning Authority. Thereafter, the planting shall be implemented in accordance with the approved details, to the agreed timetable and be maintained in accordance with the approved details.
Reason: To provide landscape enhancements and mitigation in the interests of the visual amenity of the area, in accordance with the National Planning Policy Framework and saved Policies NC1.7, EN3 and EN3.2 of the Unitary Development Plan and Policies CS15 and CS18 of the Core Strategy and Urban Core Plan.
- 46 None of the dwellings within the outline section of the development area shall be occupied until the applicant has submitted; details of play equipment (which including the play areas in the detailed section of the development site, the total amount of play areas within the development site must be at least 0.5ha), details of landscaping, management and maintenance and a timetable for implementation, and these details have been approved in writing by the Local Planning Authority. Following approval, the play equipment shall be implemented in accordance with the approved details, at the approved timetable and be maintained and managed in accordance with the approved details.
Reason: In the interest of amenity, in accordance with the National Planning Policy Framework, Policy NN1 of the Core Strategy and saved Policies OS1, OS1.2 of the Unitary Development Plan.
- 47 No development shall take place in the outline section of the development area until the applicant has; confirmed which of the approved pedestrian bridge designs for the footbridge over the A69 is to be implemented; and submitted a timetable for delivery and details of proposed maintenance, which shall be approved in writing by the Local Planning Authority. The footbridge shall then be implemented in accordance with the approved details, at the agreed timetable and be maintained in accordance with the approved details.
Reason: In the interests of pedestrian safety and sustainable development, in accordance with Policies CS1 and NN1 of the Core Strategy and guidance contained in the National Planning Policy Framework.
- 48 Prior to submission of the Reserved Matters application for the retail/commercial units, details of hours of opening of the units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the retail/commercial hereby approved shall only be open for business in accordance with the approved details.
Reason: In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policy H2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.
- 49 Prior to submission of the Reserved Matters application for the retail/commercial units, details of the hours of deliveries shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter deliveries shall be undertaken only in accordance with those agreed details.

Reason: In the interests of the amenity of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policy H2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.

- 50 None of the retail/commercial units shall be brought into use until a detailed noise survey and a scheme for the sound insulation of the buildings have been submitted to and approved in writing by the Local Planning Authority. The approved sound insulation scheme shall be implemented before the development is brought into use and retained as such thereafter.
Reason: To prevent nuisance from noise in the interests of the occupiers of neighbouring premises, in accordance with the National Planning Policy Framework and saved Policies POL7 and H2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.
- 51 None of the retail/commercial units shall be brought into use until details of refuse storage facilities (including glass storage) and a refuse storage strategy have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.
Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and saved Policies EN1.1, H2 and T7.1 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.
- 52 At the site boundary for the retail/commercial units, the noise levels generated by any external plant shall not exceed the approved background noise level by more than 5dB(A).
Reason: To prevent nuisance from noise in the interests of the amenity of the surrounding area, in accordance with the National Planning Policy Framework and saved policy POL7 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.
- 53 None of the retail/commercial units shall be brought into use until details of the noise limiters of any sound reproduction equipment to be used on the premises have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use and retained as such thereafter.
Reason: To prevent nuisance from noise in the interests of the amenity of the surrounding area, in accordance with the National Planning Policy Framework and saved Policies POL7 and H2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan.
- 54 No ground works shall take place in the north western SUDS area until fencing has been erected under the supervision of the applicant's appointed archaeologist to protect the earthworks of the Walbottle Moors Waggonway in accordance with a specification agreed with the Local Planning Authority. The approved scheme for the erection, maintenance and subsequent removal of fencing shall be implemented.
Reason: To ensure the preservation in-situ of the waggonway earthworks, undertaken in accordance with the NPPF, Core Strategy Policies CS15 and NN1 and saved UDP policies C4.2, C4.3.

NB: Please read any notes below and those on the attached sheet.

- 1 You are advised that under the terms of the Wildlife and Countryside Act no tree or scrub clearance should be undertaken during the bird nesting season (March-August inclusive) unless a checking survey has first been undertaken by a suitably qualified ecologist to confirm the absence of nests. You should contact the Council's Ecology Officer on (0191) 277 7195 for further information on this matter.
- 2 Your attention is drawn to the Agreement under Section 106 of the Town and Country Planning Act 1990 affecting this site.
- 3 The environmental information contained with the environmental statement submitted with this application has been taken into consideration by this authority in coming to this decision.
- 4 You are advised to contact the Council's Flood Management Team, in its role as lead local flood authority for the site, at flood.management@newcastle.gov.uk to discuss the sustainable urban drainage scheme proposed for the site.
- 5 The applicant is advised to obtain the written approval of the Local Highway Authority for the details required under condition 16 and 17 , prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority. You can contact the Local Highway Authority on (0191) 211 6056.

Notice to Applicant

Appeals to the Secretary of State

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, (unless it is a minor commercial development in which case you must do so within 12 weeks) using a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on-line at www.planningportal.gov.uk/pcs
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within; 28 days of the date of a service of the enforcement notice, or within six months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed on them, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the City Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Further Notes for applicant

1. This consent is granted subject to conditions and it is the responsibility of the owner and the person responsible for the implementation of the development to ensure compliance with the planning conditions throughout the development and beyond. The approved development should be implemented in strict accordance with all of the planning conditions, and in particular any which require details to be approved prior to the commencement of development being authorised. Failure to do so may result in any commencement of development being unauthorised, which could be liable to enforcement action.

2. If you wish to change, or not comply with, any of the planning conditions attached to the permission, then you will need to submit a new application for planning permission under section 73 of the Town and Country Planning Act 1990. This does not affect your statutory right of appeal against any of the planning conditions. This includes if you wish to not comply with a condition attached to a permission which details the approved plans, so as to make a minor material change to the approved plans. A minor material change is defined as one whose scale and nature results in a development that is not substantially different from that which had been approved.
3. Any non-material change to the approved plans that form part of this permission would require the submission of an application for a non-material change under section 96A of the Town and Country Planning Act 1990. Whether changes to a proposed development are considered non-material is a matter for Planning Authority discretion.
4. This certificate is issued under the Town and Country Planning Acts and Orders and does not constitute a permission, approval or consent for any other purpose. Applications must therefore be made for any other permissions, approvals or consents may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development. For example consents may be required under building regulations, or approval of the City Council as ground landlord where appropriate, as well as approvals where works affect public sewers, gas mains, electricity lines, adopted highways, rights of way, property covenants and works affecting protected habitats or species.
5. Anyone proposing to carry out works to party walls, boundary walls and excavations near neighbouring buildings should also be aware of the requirements of the Party Wall etc Act 1996, guidance on which is available at: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>.
6. If your development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining then you are advised to check the Coal Authority standing advice on the matter. You can check if your property is affected and the standing advice at www.coal.gov.uk/services/planning.