
Modification Application No:	MA2021/00192
Development Application No:	DA2010/1278
Land:	Lots 10, 11, 12, 13, 14 & 15, DP 1122031; Lot 1, DP 63100; Lot 1 DP 516670; and Pt Lot 18, Sec G DP 978941
Property Address:	1 Laman Street Cooks Hill NSW 2300
Development Consent:	Redevelopment of Newcastle Art Gallery
Proposed Development:	Sec 4.55(2) modification to DA2010/1278 - Community Facility and Retail (Redevelopment of Newcastle Art Gallery) - change to floor plans, elevations and landscape including deletion of Darby Street retail premises.

In accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979*, Development Consent No. DA2010/1278 is to be modified by:

Inserting Condition No. 1A to read:

- 1A The General Terms of Approval from state authorities must be complied with prior to, during, and at the completion of the development. The General Terms of Approval are:
- a) Subsidence Advisory NSW, ref: TBA21-00305 & TBA21-02116, dated 12 October 2021

A copy of the General Terms of Approval are attached to this determination notice.

(Inserted under MA2021/00192)

Inserting Condition No. 1B to read:

- 1B Development consent has not been granted to the following elements of the proposal (as marked in red on the approved plans):
- a) Streets tree planting within Darby Street, including associated tree planting enclosures and paving works; and
 - b) Low height planting within the Darby Street footway for the extent of any Bus Zone

Note: Condition 3 requires low height planting within the Darby Street footway for the frontage of the development excluding the extent of the Bus Zone.

Works not approved are to be excluded from documentation submitted for a Construction Certificate application.

(Inserted under MA2021/00192)

Amending Condition No. 2 to read:

- 2 The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No./Supporting Document	Reference/Version	Prepared by	Dated
DA-A-000 Title Sheet & Locality Plan	Rev K	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-010 Site Demolition Plan	Rev G	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-011 Demolition Plan Level 1& Mezzanine	Rev F	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-012 Overall Site Plan	Rev I	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-032 Landscape Plan – Cover Sheet	Rev B	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-033 Landscape Plan – Existing Site Plan	Rev B	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-034 Landscape Plan – Site Masterplan	Rev B	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-035 Landscape Plan – Laman Street Elevation	Rev B	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-036 Landscape Plan – Darby Street Elevation	Rev C	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-037 Landscape Plan – Plan Details (1)	Rev B	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-038 Plan Details (2)	Rev C	Smith & Tzannes in association with Clare Design	15/10/2021
DA-A-039 Landscape Plan – Proposed Planting Species	Rev B	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-100 Proposed Lower Ground Floor Plan	Rev M	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-101 Proposed Ground Floor Plan	Rev N	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-102 Proposed First Floor Plan	Rev K	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-103 Proposed Roof Plan	Rev I	Smith & Tzannes in association with Clare Design	11/10/2021
DA-A-200 Elevations (North & East)	Rev J	Smith & Tzannes in association with Clare Design	02/11/2021

DA-A-201 Elevations (South & West)	Rev J	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-202 Sections	Rev H	Smith & Tzannes in association with Clare Design	02/11/2021
DA-A-903 Materials and Colours	Rev D	Smith & Tzannes in association with Clare Design	29/10/2021
DA-A-910 Perspective	Rev A	Smith & Tzannes in association with Clare Design	02/11/2021
STZ-0196-ID1 1of2 Signage	Issue v1	Smith & Tzannes in association with Clare Design	29/10/2013
STZ-0196-ID1 2of2 Signage	Issue v1	Smith & Tzannes in association with Clare Design	29/10/2013

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

(Amended under MA2021/00192)

Amending Condition No. 2A to read:

- 2A. Additional details of the materials and finishes are to be submitted to the Development and Building Section of Council for approval prior to the issue of the Construction Certificate, and such details to be complied with and included in the details and schedule(s) for the Construction Certificate. Such details are to be consistent with the approved material and colours (Drawing No. DA-A-903, prepared by Smith & Tzannes in association with Clare Design, dated 29/10/2021) in type and quality.

(Amended under MA2021/00192)

Amending Condition No. 3 to read:

- 3 The Developer designing and constructing the following works in connection with the proposed development within the Darby Street and Queen Street public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:
- a) Footpath replacement to Council requirements
 - b) Kerb and gutter replacement along Darby Street frontage
 - c) New driveway crossing on Queen Street
 - d) Associated drainage works
 - e) Installation of low height planting such as shrubs, grasses, or ground covers to Council's requirements within the Darby Street footway for the frontage of the development site excluding the extent of any Bus Zone. Each garden bed is to be 3m long and 600mm wide, offset 200mm from the Darby Street kerb. Spacing between garden beds is to be 3m.
 - f) The existing 3 metre long, 225mm size stormwater pipe downstream of the existing kerb inlet pit at the corner of Laman and Darby Streets is to be upgraded to a 375mm pipe.

Engineering and landscape design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the Roads Act 1993

(NSW). The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

(Amended under MA2021/00192)

Amending Condition No. 7 to read:

- 7 All stormwater runoff from the proposed development being managed in accordance with the requirements of the Section 7.06 'Stormwater' of Newcastle Development Control Plan 2012 and the associated Technical Manual and the latest issue of AS 3500.3 were applicable, as indicated on the stormwater management concept plan prepared by Arup (Job No. 278551, Drg. No. SK-H-001 (Drawings 1 to 7), dated 29.10.2021). Full details to be included in documentation for a Construction Certificate application.

(Amended under MA2021/00192)

Deleting Condition No. 15

Amending Condition No. 16 to read:

16. Prior to any ground disturbance works occurring on site, the applicant must obtain an approved Section 140 application under the Heritage Act 1977 to undertake archaeological excavation of the study area. The applicant must comply with all the approval conditions of the Section 140 approval. Full details are to be included in documentation for a Construction Certificate application.

(Amended under MA2021/00192)

Amending Condition No. 17 to read:

17. Prior to the work commencing and before the release of the Construction Certificate an archival record of the building, both internally and externally is to be made that is consistent with the NSW Heritage Office publications:

- a) How to Prepare Archival Records of Heritage Items (1998); and
- b) Photographic Recording of Heritage Items using Film or Digital Capture (2006).

The archival record is to be submitted to Council for inclusion in the City Library collection prior to the issue of the Construction Certificate. Confirmation that the records have been submitted to Council shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Amended under MA2021/00192)

Amending Condition No. 18 to read:

18. The building floor level of the, plant room, main switch board room and communications area being set a minimum of 300mm above the local 1 in 100 year ARI flood level. Details to be indicated on plans for a Construction Certificate application.

(Amended under MA2021/00192)

Inserting Condition No. 18A to read:

- 18A. The proposed awning is to be designed in a manner that is consistent with Element 7.10 'Street Awnings and Balconies' of the Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.

(Inserted under DA2010/1278.02 - 3 September 2012)

Inserting Condition No. 18B to read:

- 18B The existing 3 metre long, 225mm size stormwater pipe downstream of the existing kerb inlet pit at the corner of Laman and Darby Streets is to be upgraded to a 375mm pipe.

A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 of the Roads Act 1993 (NSW). The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

(Inserted under MA2021/00192)

Inserting Condition No. 18C to read:

- 18C The stormwater design is to ensure post-development stormwater flows do not exceed pre-development flows to both Queen Street and Darby Street in accordance with Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012. Full details are to be provided as part of a construction certificate application.

(Inserted under MA2021/00192)

Inserting Condition No. 18D to read:

- 18D The applicant is required to engage an electrical consultant or contractor to complete an online application to Ausgrid for the connection of the approved development to the adjacent electricity network infrastructure.

(Inserted under MA2021/00192)

Inserting Condition No. 18E to read:

- 18E Provision is to be made on the site for the installation of a 'kiosk' type electricity substation should such be required by the electricity authority and any such 'kiosk' being located in public reserves and/or private land and are not to be located within road reserves. Any such substation is to be appropriately screened to ensure the visual amenity of the streetscape is maintained. Full details are to be included in documentation for a Construction Certificate application.

(Inserted under MA2021/00192)

Inserting Condition No. 18F to read:

- 18F A title search of the development site should be completed to check for existing electricity easements. If easements are present, Ausgrid must assess the proposed activity within the easement. Reference should be given to Ausgrid's "Living with Electricity Easements" brochure. Full details are to be included in documentation for a Construction Certificate application.

(Inserted under MA2021/00192)

Inserting Condition No. 18G to read:

- 18G The internal floor level of the 'Lower Ground Floor' is not to be any lower than RL 7.4 AHD as indicated in the approved plans. Basement or similar structures below this level will require a separate application to Council. Full details are to be included in documentation for a Construction Certificate application.

(Inserted under MA2021/00192)

Amending Condition No. 20 to read:

20. A commercial type vehicular crossing up to 13.5m with appropriate splays being constructed across the public footway at the proposed driveway entrance/exit at no cost to Council and in accordance with Crossing Standard Details A1300.

(Amended under MA2021/00192)

Inserting Condition No. 21A to read:

- 21A Any structure on or over the public road reserve, including balconies and awnings, is to be the subject of a separate consent from Council, under Section 138 of the *Roads Act 1993*, prior to commencement of work.

Note: A separate approval from Council must be obtained for all structures within the public road reserve pursuant to Section 138 of the *Roads Act 1993*. For further information contact Council's Strategic Property and Fleet Management Services on 4974 2000 to request a Road Consent. A fee will be payable in this regard.

(Inserted under DA2010/1278.02 - 3 September 2012)

Inserting Condition No. 21B to read:

- 21B Prior to the commencement of any works within the public road reserve, details shall be submitted with the Roads Act Application for the proposed awning, demonstrating compliance with the following:

- a) Appropriate lighting being provided for the carpark and pedestrian pathways in accordance with AS 1158 - Lighting and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.
- b) The design of the awning is to include cutout segments (if needed) to accommodate street trees.

(Inserted under DA2010/1278.02 - 3 September 2012)

Inserting Condition No. 53A to read:

- 53A There are existing overhead electricity network assets in Queen and Darby Street, adjacent to the development site. Workcover Code of Practice 2006 Work Near Overhead Powerlines outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction phase. Any relocation of overhead mains required to maintain minimum safety clearances is at the cost of the person having the benefit of this consent.

(Inserted under MA2021/00192)

Inserting Condition No. 53B to read:

- 53B The development is in proximity to underground electricity assets. In addition to DBYD searches a ground search is to be conducted to locate electricity assets immediately prior to commencing work to check for updates of installed utilities. During construction work is to be undertaken in accordance with Ausgrid's Network Standard 156 – Working near or around underground cables. Any alterations to Ausgrid's underground electricity main will be contestable works and funded by the person having the benefit of this consent.

(Inserted under MA2021/00192)

Inserting Condition No. 53C to read:

- 53C Prior to works commencing, all contractors and sub-contractors are to undergo a site induction provided by a suitably qualified heritage professional, which is to include the significance of the site and the relevant obligations under the *Heritage Act 1977* and the *National Parks and Wildlife Act 1974*.

(Inserted under MA2021/00192)

Inserting Condition No. 53D to read:

- 53D The development is to be undertaken in accordance with the recommendations in the Historical Archaeological Assessment and Statement of Heritage Impact prepared by Austral Archaeology (dated 4 November 2021).

(Inserted under MA2021/00192)

Inserting Condition No. 53E to read:

- 53E If unanticipated suspected Aboriginal heritage items are uncovered at any time throughout the life of the project, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be notified in accordance with Section 89A of the *National Parks and Wildlife Act 1974* (NPW Act). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by Heritage NSW.

(Inserted under MA2021/00192)

Inserting Condition No. 53F to read:

- 53F Construction works are to be carried out in accordance with the recommendations of;
- a) Report: Douglas Partners Pty Ltd (February 2021) Report on Groundwater Sampling R.001.Rev0; and
 - b) Letter: Douglas Partners Pty Ltd (8 November 2021) Proposed Rainwater Tank. R.001.Rev0.

(Inserted under MA2021/00192)

Inserting Condition No. 53G to read:

- 53G Monitoring for volatile gases shall be conducted by a suitably qualified and experienced environmental consultant during the excavations for the rainwater tank. If volatile gases are detected which exceed appropriate guidelines, works are to immediately cease and advice is to be sought from the environmental consultant and recommendations in respect to the management of health or environmental risk are to be implemented in accordance with appropriate guidelines and legislation.

(Inserted under MA2021/00192)

Amending Condition No. 66 to read:

66. The building floor level of the plant room, main switch board room and communications area being set a minimum of 300mm above the local 1 in 100 year ARI flood level. The finished floor levels are to be certified by a registered Surveyor prior to the placement of the floor material and a copy of the Surveyor's Certificate is to be forwarded to the Principal Certifying Authority.

(Amended under MA2021/00192)

Amending Condition No. 67A to read:

67A 17 suitable replacement trees either on/adjoining the subject site, or off site within a distance of 400 meters as measured from any point along the development site boundary, are required in order to replace the trees being removed as part of the development. All replacement trees are to be planted prior to the issue of an Occupation Certificate, and a list provided to the certifying authority.

(Amended under MA2021/00192)

Amending Condition No. 67B to read:

67B The awning on the Darby Street, Queen Street and Laman Street frontages is required to be constructed prior to the issue of the Occupation Certificate for the development the subject of this consent.

(Amended under DA2010/1278.02 - 3 September 2012)

Deleting Condition No. 67C

Inserting Condition No. 67D to read:

67D Prior to the release of the Occupation Certificate, the Applicant must demonstrate to the written satisfaction of Council, that they have satisfied the requirements for lodging all final archaeological excavation reports required under any and all s.140 applications under the *Heritage Act 1977* which have been approved by the Heritage Council of NSW for this site.

(Inserted under MA2021/00192)

Deleting Condition No. 68

Amending Condition No. 69 to read:

69. The maximum number of patrons permitted within the café and associated terrace area is to be restricted to 100 persons in total. A sign must be displayed in a prominent position in the cafe stating the maximum number of patrons, as specified in the development consent, that are permitted in the café.

(Amended under MA2021/00192)

Amending Condition No. 70 to read:

70. The hours of operation or trading of the premises are to be not more than from:

DAY	START	FINISH	
Monday	6am	10pm	Same day
Tuesday	6am	10pm	Same day
Wednesday	6am	10pm	Same day
Thursday	6am	10pm	Same day
Friday	6am	10pm	Same day
Saturday	6am	10pm	Same day
Sunday	6am	10pm	Same day

unless a separate application to vary the hours of operation or trading has been submitted to and approved by Council.

(Amended under MA2021/00192)

Deleting Condition No. 71

Deleting Condition No. 74

Deleting Condition No. 75

Deleting Condition No. 76

Deleting Condition No. 77

Deleting Condition No. 78

Deleting Condition No. 79

Inserting Condition No. 86A to read:

86A Provision is to be made for regular maintenance to ensure the continuing structural integrity and attractive appearance of the street awning. A maintenance plan is to be developed and include:

- a) annual inspection of structural components
- b) repainting, as required
- c) regular maintenance to guttering and downpipes
- d) regular cleaning and replacement of defective lighting, advertising or other deteriorated components of the awning
- e) regular cleaning of awning glazing, where installed.

(Inserted under DA2010/1278.02 - 3 September 2012)

Inserting Condition No. 96 to read:

96 If archaeological deposits or relics not identified and considered in the supporting documents for this consent are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Note: The Heritage Council of NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.gov.au. A 'relic' is any deposit, object or material evidence that relates to the settlement of New South Wales, not being Aboriginal settlement, and is of State or local significance. It is an offence under the provisions of the *Heritage Act 1977* (NSW) for a person to disturb or excavate any land on which the person has discovered a relic except in accordance with a gazetted exemption or an excavation permit issued by the Heritage Council of NSW.

(Inserted under MA2021/00192)

Inserting Schedule 2 to read:

SCHEDULE 2

SUBSIDENCE ADVISORY NSW

GENERAL TERMS OF APPROVAL

Issued in accordance with Section 4.47 of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 12 October 2021, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA21-00305 & TBA21-02116
DA:	MA/2021/00192
Site Address:	1 LAMAN STREET COOKS HILL
Lot and DP:	LOTS 11-14 & PT LOT 15 DP 1122031, LOT 1 DP 63100, LOT 1 DP 516670 AND PART LOT 18 SEC G DP 9789
Proposal:	ART GALLERY EXPANSION – ALTERATIONS AND ADDITIONS
Mine Subsidence District:	NEWCASTLE

SCHEDULE 2

GENERAL TERMS OF APPROVAL

GENERAL									
Plans, Standards and Guidelines									
1.	<p>These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to development application and provided to Subsidence Advisory NSW.</p> <p>Any amendments or subsequent modifications to the development may render these GTAs invalid.</p> <p>If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.</p>								
2.	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>								
PRIOR TO COMMENCEMENT OF CONSTRUCTION									
3.	<p>Prescribed Design Parameters</p> <p>Provide certification from a qualified structural engineer that the proposed additions are capable of remaining "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable" if subjected to the subsidence parameters outlined in the Douglas Partners report on 'Pillar Stability and Subsidence Modelling', dated 27 August 2021 with maximum values of:</p> <table border="0"> <tr> <td>a) Maximum Vertical Subsidence:</td><td>50 mm/m</td></tr> <tr> <td>b) Maximum Horizontal Strains (+/-):</td><td>1.8 mm/m</td></tr> <tr> <td>c) Maximum Tilt:</td><td>3 mm/m</td></tr> <tr> <td>d) Maximum Radius of Curvature:</td><td>5 km</td></tr> </table>	a) Maximum Vertical Subsidence:	50 mm/m	b) Maximum Horizontal Strains (+/-):	1.8 mm/m	c) Maximum Tilt:	3 mm/m	d) Maximum Radius of Curvature:	5 km
a) Maximum Vertical Subsidence:	50 mm/m								
b) Maximum Horizontal Strains (+/-):	1.8 mm/m								
c) Maximum Tilt:	3 mm/m								
d) Maximum Radius of Curvature:	5 km								
4.	<p>'Yard' / Dudley Seam Workings Grouting</p> <p>Remove the risk of mine subsidence via grouting of the mine workings in the Yard (Dudley) Seam workings in accordance with the "Douglas Partners Report on Grouting and Verification Plan for 'Yard' / Dudley Seam Workings", dated 14 September 2021.</p>								
5.	<p>Borehole Seam Workings Grouting</p> <p>Submit a final grout proposal in accordance with "Douglas Partners report on Pillar Stability and Subsidence Modelling", dated 27 August 2021 to mitigate the risk of mine subsidence such that the residual parameters are in accordance with those identified in</p>								

	<p>the above report. The final report submitted prior to commencing work is to include:</p> <ol style="list-style-type: none"> Grout Implementation Plan; including a site plan, grout locations (dimensioned in plan and elevation), proposed bore locations, and grout designer's endorsement. Grout Verification Plan; showing the location of verification holes and the grout designer's endorsement.
6.	On completion of grouting submit a Grout Verification Output Report endorsed by the grout designer and site verification engineers for compliance with the accepted Grouting Plans.
7.	<p>Submit an "Engineering Impact Statement" prior to commencement of detailed design for acceptance by SA NSW, which shall identify the:</p> <ol style="list-style-type: none"> Mine Subsidence Parameters used for the design. Main building elements and materials. Risk of damage due to mine subsidence Design measures proposed to control the risks. Provide certification that the design will ensure the improvement remains "<i>safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' in accordance with AS2870 (Damage Classification), and readily repairable</i>". Comment on the: <ul style="list-style-type: none"> likely building damage in the event of mine subsidence. sensitivity of the design to greater levels of mine subsidence.
8.	Submit a final design incorporating the design methodology contained in the " <i>Engineering Impact Statement</i> ", for acceptance by Subsidence Advisory NSW prior to commencement of construction. It shall include certification by a qualified structural engineer including a statement to the effect that the improvements will remain " <i>safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable</i> " taking into consideration the mine subsidence parameters outlined above.
POST CONSTRUCTION	
9.	<p>Establish 4 survey monitoring reference marks on and around the circumference of the building(s) so that building movement can be monitored should mine subsidence occur. A plan with the position including Easting, Northing and RL of each monitoring reference marks and original RLs are to be forwarded to Subsidence Advisory NSW.</p>
10.	Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.

Dispute Resolution

If you are dissatisfied with the determination of this application an appeal may be formally submitted with the Chief Executive Officer for an independent internal review. The application must be made in writing and must provide reasons why the determination should be changed.

(Inserted under MA2021/00192)

Inserting Schedule 3 to read:

SCHEDULE 3

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; Newcastle Local Environmental Plan 2012 and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012.
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.

(Inserted under MA2021/00192)