

Item No: 5.7
Application No: 15/01767/LAREG3 Author: Maxine Ingram
Date valid: 6 November 2015 ☎: 0191 643 6322
Target 5 February 2016 Ward: Camperdown
decision date:

Application type: planning application by local authority

Location: Land At Junction With Reed Avenue And, Thompson Avenue, Camperdown, NEWCASTLE UPON TYNE,

Proposal: Development of 13 affordable residential units with associated parking, landscaping and public open space

Applicant: North Tyneside Council, FAO Mr Richard Brook Quadrant Silverlink North Cobalt Business Park North Tyneside Tyne And Wear NE27 0BY

Agent: Capita, FAO Mr Steven Lyttle Quadrant East First Floor Left 16 The Silverlink North Cobalt Business Park North Tyneside Tyne And Wear NE27 0BY

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for this proposal are:

- The principle of the development, including loss of the open space;
- Housing Supply;
- Impact on Surrounding Amenity and amenity of proposed occupiers;
- Design and Layout;
- Car Parking and Access;
- Other Issues;

2.0 Description of the site

2.1 The site to which this application relates is a parcel of land measuring approximately 0.37 hectares within an established residential area of Camperdown. It is situated on the corner of Reed Avenue and Thompson Avenue. The site was previously developed land, the former properties were demolished in the late 1970s. The site is now designated general open space within the Council's Unitary Development Plan 2002.

2.2 The site is bound by estate roads to the west and south. Residential properties overlook the site. To the north of the site is an electrical substation within a fenced enclosure. A track providing access to the north of the substation is sited along the north boundary. A pedestrian footpath is sited along the east boundary.

2.3 The site is generally flat with a slight rise towards to the north east.

3.0 Description of the Proposal

3.1 Planning permission is sought for the construction of 13no. two storey residential dwellings. The house types will comprise of the following:

- 4no. 1 bed apartments;
- 4no. 2 bed apartments;
- 5no. 2 bed houses.

3.2 Car parking is provided within the curtilage of each dwelling. A 2m footpath will be constructed around the site boundary and link onto existing footpaths on Thompson Avenue and Reed Avenue.

3.3 Existing open space will be retained within in the centre of the site and it will be landscaped as part of the scheme.

3.4 Supporting information

3.5 North Tyneside Council's Trading Company, North Tyneside Trading Company Ltd, can now assume the role of the developer to support the delivery of affordable homes within the borough by developing affordable homes on land owned by the Council.

3.6 This will assist in supporting the delivery of affordable home within the borough.

A new subsidiary (North Tyneside Development Company) of the parent trading company was established. Reed Avenue has been identified as the first development to be undertaken.

3.7 The homes delivered by the Company will be let at affordable rents, a maximum of 80% of market rents in the locality. A bespoke lettings policy is being developed to provide to give preference to those seeking affordable housing from within the area.

4.0 Relevant Planning History

4.1 None

5.0 Development Plan

5.1 North Tyneside Unitary Development Plan (adopted March 2002).
Direction from Secretary of State under Paragraph 1(3) of Schedule 8 of Town and Country Planning and Compulsory Purchase Act 2004 in respect of policies in the North Tyneside UDP.

6.0 Government Policy

6.1 National Planning Policy Framework published 27 March 2012.

6.2 Planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the

determination of this planning application. It requires local planning authorities to apply a presumption in favour of sustainable development.

6.3 National Planning Practice Guidance.

PLANNING OFFICERS REPORT

Main Issues

7.0 The main issues in this case for members to consider are:

- The principle of the development, including loss of the open space;
- Housing Supply;
- Impact on Surrounding Amenity and amenity of proposed occupiers;
- Design and Layout;
- Car Parking and Access;
- Other Issues;

7.1 Consultations responses and representations received as a result of the publicity given to this application are set out in the appendix to this report.

8.0 Principle of the Proposed Development

8.1 The NPPF confirms that local authorities should attach significant weight to the benefits of economic and housing growth and enable the delivery of sustainable developments. It identifies 12 core planning principles for Local Authorities that should underpin decision making. One of these is to encourage the effective use of land by reusing land that has been previously developed (brownfield land). However, this is not a prerequisite.

8.2 In relation to housing, NPPF states that the Government's key housing objective is to increase significantly the delivery of new homes. In order to achieve this objective government requires that authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery the buffer should be increased to 20 per cent.

8.3 NPPF goes on to say that local planning authorities should plan for a mix of housing based on current and future demographic trends and market trends.

8.4 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

8.5 Policy H5 of the UDP states that proposals for housing development on sites not identified for this purpose will only be approved where all of the following criteria can be met: (i) The proposal is on a previously developed site and is within the built up area; (ii) It is acceptable in terms of its impact on its site, local amenity, the environment, and adjoining land uses; (iii) It can be accommodated

within the existing infrastructure; (iv) It does not have an adverse impact on open space provision.

8.6 Policy H11 of the UDP requires that applications for residential development take into account the impact of the proposal on its site, local amenity, the environment and adjoining land uses. It also requires the need for the resulting dwelling to have acceptable external standards of space, light outlook and privacy.

8.7 The Council's Local Plan Pre Submission Draft (2015) specifically allocates sites to meet the overall housing needs. It also recognises that proposals for new sites which have not been previously identified or allocated and known as 'windfall sites' will continue to come forward for development throughout the Plan period. The Council's Strategic Housing Land Availability Assessment (SHLAA) (2015) demonstrates that such sites make an important contribution to the housing land supply within the Borough and, as a result, the approach of the Local Plan allows for an element of overall housing delivery to come through windfall development. The site is identified in the SHLAA as a potential site able to deliver housing within the next six-ten years.

8.8 Officers have also taken into account that the development plan is out of date. The North Tyneside Unitary Development Plan was adopted in March 2002, over 13 years ago. The plan period ran until 2006 and we are now significantly (9 years beyond this). Following the advice in paragraph 14 of NPPF it states that where the development plan is out of date the presumption is that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole, or specific policies in the Framework indicate that development should be restricted. Given the development plan is out of date the presumption in favour of sustainable development applies, and therefore the principle of the proposed development should be considered acceptable subject to consideration of the following matters:

8.9 Loss of Open Space

8.10 Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

8.11 Policy R2/1 of the UDP states that land shown on the proposals map for the purpose of open space use, including playing fields of schools, will be retained in its present use.

8.12 Policy R2/2 of the UDP states that development of land shown in the proposals map for open space use will not be permitted where this will amongst other matters result in a reduction in the open nature of the land where this causes a significant loss of local amenity.

8.13 The applicant has submitted an Open Space Assessment in support of this planning application. The assessment considers the availability of green spaces within the vicinity of the site.

8.14 Under the Green Space Strategy the site would be classified as 'informal green space'. The loss of the application as 'informal green space' should be considered against policies R2/1 and R2/2 of the UDP. The Green Space Strategy (Objective 7) and the Local Plan Draft Consultation expects that all properties should be within 300m of at least 0.1ha of accessible, free and usable open space. The current Borough average is 97.9% of properties are within the acceptable catchment of accessible, free and usable green space. The Camperdown Ward performs better with 99.6%. It is acknowledged that development at this site would see the loss of some open space, due to the amount of other open space in the vicinity whose catchments overlap, there would be no decrease in the percentage of properties within an acceptable catchment of accessible, free and usable green space.

8.15 The site is designated as open space, used for informal recreation. However, analysis of the most up-to date and robust assessment in the Borough, the Green Space Strategy, clearly illustrates that there is a surplus of such space within the vicinity of the site. It is therefore considered that the redevelopment of this site would sustain the existing levels of provision in the area, ensuring sufficient amounts of informal open space for the locality.

8.16 The submitted Open Space Assessment concludes that the site is within the recommended catchments for the provision of equipped areas for play, parks and natural/semi natural green space. The scale of the development would not in itself create high levels of demand on allotments, existing playing pitches or create the need for additional facilities.

8.17 It is officer opinion that the proposed development will not result in an insufficient provision of open space of this type in the ward or result in a significant loss of local amenity.

8.18 Members must determine whether or not the principle of residential development on this site is acceptable. The proposed development site is positioned within an existing urban area, located in an area that lies within close proximity to local amenities and public transport links. An area of informal open space would be retained within the centre of the site. Officer advice is that the principle of residential development and the loss of some informal open space on the site is acceptable. This proposal for new housing accords with the Government's objectives, as set out in the NPPF, and should be considered on the basis of the presumption in favour of sustainable development.

9.0 North Tyneside 5-Year Housing Land Supply

9.1 Work is still ongoing to establish an adopted housing target for the borough. Latest evidence indicates a minimum potential five year housing land supply target between 2014/15 and 2018/19, including a 5% buffer, of 5,619 new homes.

9.2 North Tyneside's total potential five year housing land supply identified within the January 2015 SHLAA and Housing Land Supply Assessment, is 3,438 homes (including delivery from sites yet to gain planning permission). There is therefore a shortfall of 2,181 homes. The Council therefore does not have an identified 5 year supply of housing land, and remains dependent upon further approvals of planning permission to achieve and subsequently maintain its housing supply.

9.3 Members are reminded that paragraph 47 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and maintain a rolling 5-year supply of deliverable housing land. This must include an additional buffer of at least 5%, in order to ensure choice and competition in the market for housing land.

9.4 The North Tyneside Local Plan Pre-Submission Draft 2015 establishes the Council's preferred level of future housing growth to 2032 based on the latest evidence of need. Reflecting this position, and after incorporating a 5% buffer, there is a minimum requirement for 6,109 new homes between 2015/16 and 2019/20. This is an increase over the previous figure and reflects the most up to date household projections.

9.5 The October 2015 Strategic Housing Land Availability Assessment (SHLAA) identifies the total potential 5-year housing land supply in the borough at 4,150 new homes. This figure comprises new homes expected to be delivered from sites which already have planning permission, sites which are yet to gain permission (such as this) and a proportion of delivery from windfall sites. There is a shortfall of 1,929 homes against the Local Plan requirement. This means there is at present 3.40 years supply of housing land. Maintaining supply is dependent on the approval of further planning permissions for identified sites such as this as well as windfall sites.

9.6 Paragraph 49 of the NPPF sets out that relevant development plan policies for the supply of housing will not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

9.7 This proposal would make a small but valuable contribution towards the Council's ability to achieve a deliverable 5-year housing land supply, a situation which provides significant weight in favour of the proposal.

10.0 Impact on Surrounding Amenity and amenity of proposed occupiers

10.1 Paragraph 123 of NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

10.2 UDP Policy E3 seeks to minimise the impact of pollution on the environment, including existing land uses and on proposed development and will support and encourage measures including the monitoring of pollution to reduce it to the lowest practicable levels.

10.3 UDP Policy H11 states that in determining applications for residential development, the LPA will take into account the impact of the proposal on its site, local amenity, the environment and adjoining land uses.

10.4 Development Control Policy Statement No. 14 considers guidance in determining applications for residential development. The criteria includes general and detailed design guidance, car parking standards, privacy distances (back to back 21.0m, back to gable 12.0m, front to front 21.0m), amenity space standards (minimum 50 square metres) and site development ratios (area of buildings should not exceed 50% of plot size). Further to the above, DCPS14 states that in fill sites within established residential areas may not be able to meet those standards relating to privacy distances and a reduced standard may be permissible.

10.5 One letter of objection has been received as a result of the consultation process. They have raised objections regarding the design and the impact on residential amenity, including noise and disturbance.

10.6 The apartments would be sited along the west boundary. They would be separated from No. 10 Reed Avenue by an existing access that serves the sub station. There are no habitable windows sited in the north elevation. Therefore, the residential amenity of this neighbouring property would not be affected.

10.7 The apartments would be located over 21m to the north of Nos. 1-2 Thompson Avenue. This separation distance complies with the recommended privacy/overlooking distances set out in DCPS No. 14.

10.8 The apartments would be located over 21m to the east of the residential properties of Reed Avenue. This separation distance complies with the recommended privacy/overlooking distances set out in DCPS No. 14.

10.9 The houses would be sited along the south boundary towards the south east corner of the site. These units would be located to the north of the residential properties sited on Thompson Avenue and Cowans Avenue. A separation distance of 21m would exist. This separation distance complies with the recommended privacy/overlooking distances set out in DCPS No. 14.

10.10 The houses would be sited 21m to the south of No. 12 Hall Drive. This separation distance complies with the recommended privacy/overlooking distances set out in DCPS No. 14.

10.11 No. 13 Thompson Avenue is located to the east of the application site. This existing residential dwelling would be separated from the application site by an

existing footpath. As there are no windows sited in the gable of this property its residential amenity would not be affected by the proposed development.

10.12 The Manager for Environmental Health has been consulted. No objections have been raised subject to a condition to control the hours of construction and dust suppression measures. These are standard conditions that are used on all residential developments and are considered acceptable working practice by the LPA. The hours of construction condition restricts construction activity during the most sensitive hours.

10.13 Members need to determine whether the proposal would have a detrimental impact on the amenity of existing properties and future occupants. It is officer advice that the layout of the proposed development is acceptable in terms of impact on outlook, privacy and light for both existing and future occupants. Members need to consider this when making their decision.

11.0 Design and Layout

11.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design. NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development. It also confirms that authorities should set out their own approach to housing density to reflect local circumstances.

11.2 NPPF states 'LPA's should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'.

11.3 UDP Policy H11 states that in determining applications for residential development the local planning authority will require that any proposals take account of the impact on its site, local amenity, the environment and adjoining land uses.

11.4 DCPS No.6 'Landscape and Environmental Improvements' states that the proximity of existing trees to the proposed development, and the effect of these trees on the amenity of future occupiers must be taken into account.

11.5 LDD11 Design Quality provides guidance on layout and design for both new buildings and extensions to existing properties. This states that the context of the site itself, through to its immediate surroundings and to the wider local area should be taken into account in formulation of a design concept. Positive features of the local area should be used as design cues. Whilst contemporary and innovative designs are appropriate in certain locations each site should be considered individually. In some areas a more traditional design may be more appropriate that uses authentic details and local materials.

11.6 In addition LDD11 provides that the scale, mass and form of a building are the most important factors in producing good design and ensuring development integrates into its setting in the wider environment.

11.7 LDD11 states that “All new buildings should be well proportioned and have a well-balanced and attractive, external appearance. Good design requires a harmonious and consistent approach to the proportions of details, the position, style and location of windows and doors, the type and use of materials and the treatment to the roof, its eaves and verges. Preference should be given, when selecting materials, for using materials produced with the greatest consideration given to their environmental impacts, re-used or reclaimed materials, locally produced materials and those products comprising recycled materials.”

11.8 Both the NPPF and the local policies seek to achieve a high standard of design for new residential development.

11.9 New developments should be well designed and should not be viewed in isolation. The application site is located within a predominantly residential area of Camperdown.

11.10 The proposed development comprises of 13no. residential dwellings. The units will comprise of 8no. apartments sited along the west boundary and 5no. houses (two pairs of semi detached dwellings and one detached dwelling) sited along the south boundary. The units are two storeys which reflect the characteristics of the immediate surrounding residential dwellings. Furthermore, the development follows the established buildings lines that exist to the north and east of the site.

11.11 The house types have a contemporary approach to their elevation treatment and they have been designed with a consistent palette of materials. A corner turning unit has been designed for the end apartments to ensure that a blank gable does not face the street. The proposed apartments have also been designed to be dual aspect to provide an attractive frontage to both the street and the open space to the rear. The apartments also have a shared private garden enclosed by approximately 0.9m high timber fencing. All houses have been designed with private amenity space to the front and rear. The rear garden areas would be enclosed by approximately 1.8m high timber fencing.

11.12 The pedestrian link from Hall Drive to Thompson Avenue will be enhanced and widened. A new 2m footpath will be constructed along the edge of the site to link into existing footpaths.

11.13 Car parking is provided within private driveways. These areas of parking would be softened by landscaping and appropriate surface treatments to ensure that cars do not dominate the street scene.

11.14 An area of open space will be retained within the centre of the site. This will be landscaped as part of the scheme. This area will be available for the public to use for informal play and recreation. The open space has been

sensitively designed to allow natural surveillance from surrounding properties. The applicant has confirmed that the open space will be continued to be maintained by the Council. The Council's Landscape Architects comments are noted. A condition is suggested to secure an appropriate landscaping scheme. The Council's Ecologist has raised no objections.

11.15 Members need to determine whether the proposal is in keeping with the character of the area. It is officer advice that the impact on the character of the area is acceptable.

12.0 Car Parking and Access

12.1 The NPPF states that Transport policies have an important role to play in facilitating sustainable development and also in contributing to wider sustainability and health objectives. The NPPF also states that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.

12.2 UDP Policy T6 states that the highway network will be improved in accordance with the Council's general objective of amongst other matters improving the safety and convenience of the public highway.

12.3 UDP Policy T8 seeks to encourage cycling by amongst other matters ensuring cyclists needs are considered as part of new development.

12.4 UDP Policy T9 states that the needs of pedestrians, including people with disabilities and special needs will be given a high priority when considering transport and development issues.

12.5 UDP Policy T11 states that parking requirements will in general be kept to the operational maximum and should include adequate provision for people with disabilities and special needs.

12.6 Development Control Policy Statement (DCPS) 4 'Car and Cycle Parking Standards' has been devised to minimise the impact on the private car by encouraging the greater use of public transport and cycling. This will be achieved by, amongst other matters, adopting a reduced requirement for car parking.

12.7 LDD12 Transport and Highways SPD sets out the Council's adopted parking standards.

12.8 An objection has been received regarding the impact on parking provision, highway and pedestrian safety and traffic congestion. These objections are noted.

12.9 The Highways Network Manager has been consulted. He has advised that the site utilises existing highways and is accessed directly onto Reed Avenue and Thompson Avenue. Parking has been provided above the Council's maximum parking standards set out in LDD12. Refuse will be stored on site with

a kerbside collection. Pedestrian links around the perimeter of the site will also be improved.

12.10 Members need to determine whether the proposal will have a severe impact on the transport network. It is officer advice that the development would have an acceptable impact on highway safety and the local road network.

13.0 Other Issues

13.1 Contamination

13.2 NPPF states that the planning system should contribute to remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

13.3 UDP Policy E3 states that the LPA will seek to minimise the impact of pollution on the environment including existing land uses and on proposed development.

13.4 The Contaminated Land Officer has been consulted. She has recommended conditional approval.

13.5 Archaeology

13.6 NPPF states that heritage assets are an irreplaceable resource and therefore should be considered in a manner appropriate to its significance.

13.7 UDP Policy E19/6 states “Where an assessment and evaluation have established that proposed development will affect a site or area of archaeological interest the applicant will be required to preserve archaeological remains in situ unless this is clearly inappropriate or destruction of the remains is demonstrably unavoidable, in which case a programme of archaeological works will be required to be submitted and agreed with the Local Planning Authority before the start of the development”.

13.8 The Tyne and Wear Archaeology Officer has been consulted. She has raised no objections.

13.9 Flooding

13.10 The development site is indicated in the Environment Agency (EA) Flood Maps and the Strategic Flood Risk Assessment (SFRA) to lie within Flood Zone 1. Although the site area does not exceed 1ha, the site lies within the bounds of a Critical Drainage Area and a Northumbrian Water (NWL) high risk drainage area and therefore a development specific flood risk assessment is required in accordance with the NPPF.

13.11 Northumbrian Water Limited has been consulted. They have recommended conditional approval.

13.12 The Lead Local Flood Authority (LLFA) has been consulted. They have recommended conditional approval.

14.0 Planning Obligations

14.1 NPPF states that pursuing development requires careful attention to viability. To ensure viability, the costs of any requirements likely to be applied to development such as requirements for affordable housing standards, infrastructure contributions or other requirements should, when taking account of the normal costs of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

14.2 Policy DC4 of the UDP states that where it can be demonstrated that it is a necessary requirement for the grant of planning permission, agreement will be sought with a developer to enter into a planning obligation /agreement or to make a financial contribution towards infrastructure or other essential elements including, amongst other things, access roads, open space, community facilities and affordable housing. The extent of a contribution must fairly and reasonably be related to the scale of the proposed development, as well as being reasonable in all other respects.

14.3 The Council's Supplementary Planning Document LDD 8 on Planning Obligations was adopted in October 2009 following public consultation, and is considered a material consideration with substantial weight. Planning obligations are considered an appropriate tool to ensure that the environment is safeguarded and that necessary infrastructure and facilities are provided to mitigate impacts, ensure enhancements and achieve high quality environment where people choose to live, work, learn and play and should comply with local, regional and national planning policies.

14.4 Regulation 122 Community Infrastructure Levy Regulations 2010 came into force in April 2010 and makes it unlawful for a planning obligation to be taken into account in determining a planning application, if it does not meet the three tests of whether an obligation is:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

14.5 A development of this nature would usually generate the need for s106 contributions towards facilities such open space, play sites and health facilities etc. However in this case Members are advised to take into account the benefits of the development in terms of providing affordable housing when assessing the need for contributions.

14.6 All the proposed dwellings are to be affordable units. This will assist in meeting the Council's target for the provision of affordable housing.

14.7 The applicant has stated:

“Based upon the current construction costs to deliver this scheme any S106 contribution over and above the current costs would make this affordable housing scheme unviable.”

14.8 Officer advice is that in this instance it would not be expedient to request s106 contributions due to the impact of the contributions on the financial viability of the scheme, and taking into account the wider benefits of the development. Members must decide whether these benefits are significant enough to outweigh the need for s106 contributions.

15.0 Conclusion

15.1 In conclusion, Members should be aware that North Tyneside does not have a 5-year housing land supply and the proposal would make a small contribution seeking to address this. Members also need to consider whether the proposal will impact on existing land uses, whether the occupants of the proposed dwellings will have a suitable level of residential amenity, whether the development would have an acceptable impact upon biodiversity and impact on the character and appearance of the area.

15.2 Members need to weigh the benefits of the proposal against the impacts and determine whether or not to grant planning permission.

15.3 It is the opinion of officers that the development would accord with relevant national and local planning policy and would therefore be acceptable.

RECOMMENDATION: Application Permitted

Members are requested to authorise that the Head of Law and Governance and the Head of Environment and Leisure to undertake all necessary procedures (Section 278 Agreement) to secure:

- Upgrade of existing footpaths surrounding the site
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated signage

Conditions/Reasons

- | | | | |
|----|-----------------------------------|-------|---|
| 1. | In accordance with approved plans | MAN01 | * |
| 2. | Standard Time Limit 3 Years FUL | MAN02 | * |

3. Prior to the construction of any dwelling above ground level a schedule and/or samples of all surfacing materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory appearance having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

4. Restrict Hours No Construction Sun BH HOU04 *

5. Notwithstanding Condition 1, prior to the commencement of construction works of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

6. Notwithstanding Condition 1, prior to the occupation of any dwelling details of all screen and boundary walls, fences and any other means of enclosure within that development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. These agreed boundary treatments shall be retained hereafter.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

7. Notwithstanding Condition 1, prior to the occupation of any dwelling a fully detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be planted in accordance with these details within the first planting and seeding seasons following the commencement of development. Any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

8. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, provision of water bowsers and wheel washing and/or road cleaning facilities). The approved statement shall be implemented and complied with during and for the life of the works associated with the development, unless otherwise is approved in writing by the Local Planning Authority.

Reason: This information is required to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

9. Prior to the occupation of any dwelling details of facilities to be provided for the storage of refuse bins within the site and a scheme to manage refuse collection, including identifying a suitable storage area for collection day only, shall be submitted to and approved in writing by the Local Planning Authority. The facilities which shall include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

10. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

11. Notwithstanding Condition 1, no development shall commence until a detailed scheme for surface water management has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: These details are required from the outset to ensure satisfactory means of surface water drainage can be accommodated within the site having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

12. Notwithstanding Condition 1, prior to the occupation of any dwelling a scheme for the provision of secure undercover cycle parking shall be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of promoting alternative modes of transport having regard to NPPF.

13. Notwithstanding Condition 1, development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: This information is required from the outset to prevent the increased risk of flooding from any sources in accordance with the NPPF.

14. No vegetation removal shall take place within the bird nesting season (March-August inclusive) unless a suitably qualified ecologist has confirmed there are no nesting birds.

Reason: This is required from the outset in the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002 and NPPF.

15. Notwithstanding Condition 1, prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:

-Upgrade of existing footpaths and provision of new footpaths abutting the site

- Associated drainage
- Associated street lighting
- Associated road markings
- Associated signage

Thereafter, these agreed works shall be implemented prior to the occupation of any dwelling and retained thereafter.

Reason: This information is required at the outset, in order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

16.

No other part of the development shall be commenced until:-

- a) A detailed site investigation has been carried out to establish:
 - i) If the site is contaminated;
 - ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the public use of land;
 - iii) To determine the potential for the pollution of the water environment by contaminants and;

iv) The implication for the development of the site and the quality of the environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: The site is located within an area identified as being potentially contaminated. To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

17. No development shall take place until a scheme showing how the development hereby approved is to be protected against the possibility of landfill gas migrating from the nearby former landfill site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not take place otherwise than in accordance with the details shown in such approved scheme, and those measures incorporated into the development shall

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

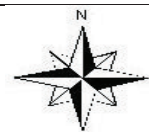


Application reference: 15/01767/LAREG3
Location: Land At Junction With Reed Avenue And, Thompson Avenue, Camperdown, NEWCASTLE UPON TYNE
Proposal: Development of 13 affordable residential units with associated parking, landscaping and public open space

Not to scale

Date: 18.01.2016

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Item 5.7

Appendix 1 – 15/01767/LAREG3

Consultations/representations

1.0 Ward Councillors

1.1 Ward Councillor Jim Allan has requested that this application is presented to Planning Committee.

2.0 Internal Consultees

2.1 Highways Network Manager

2.2 This application is for the development of 13 affordable residential units with associated parking, landscaping and public open space

2.3 The site utilises existing highways and is accessed directly onto Reed Avenue & Thompson Avenue. Parking has been provided in accordance with the maximum standards set out in LDD12 and refuse will be stored on site with a kerbside collection.

2.4 For the reasons outlined above and on balance conditional approval is recommended.

2.5 Recommendation - Conditional Approval

2.6 The applicant will be required to enter into a Section 278 Agreement with the Local Authority to carry out the following works:

Upgrade of existing footpaths & provision of new footpaths abutting the site

Associated drainage

Associated street lighting

Associated road markings

Associated signage

2.7 Conditions

PAR04 - Veh: Parking, Garaging, before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT01 - Building Site: Compound/Storage

SIT02 - Building Site: Construction Access

SIT03 - Dust Suppression during construction

SIT04 - Lorry routing during construction

No development shall commence until a scheme for surface water management has been submitted to and approved by in writing the Local Planning Authority. Thereafter, the turning area shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of effective surface water management

Prior to works commencing a scheme for the provision of secure undercover cycle parking shall be submitted to and approved by in writing the Local Planning

Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety.

2.8 Informatives:

I05 - Contact Env Serv: Construct Highway Access

I08 - Contact Env Serv: Works to Footway

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct highways: Build Materials

I45 - Street Naming and Numbering

I46 - Highways Inspection before development

2.9 Manager for Environmental Health

2.10 I have no objections to this development. I would request restriction on standard construction times and dust suppression measures.

2.11 Ecology Officer

2.12 I have no objection to the above application subject to the condition below being attached to the application:-

No vegetation removal to be undertaken within the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to development commencing.

2.13 Landscape Architect

2.14 The application refers to a proposed residential development of 13no. residential units with associated access, infrastructure and landscaping. The site is currently a vacant plot of land, measuring 0.37 hectares, and is situated on the corner of Reed Avenue and Thomson Avenue in Camperdown. The site is set within an existing residential area and lies approximately 1 mile to the north west of Killingworth Town Centre. The site was previously developed but is currently used as recreational open space.

2.15 The estate is accessed principally from Station Road and this is the primary route into the site, which is bounded by small roads to the south and west with residential properties overlooking the site. To the north of the site is an electrical substation within a fenced enclosure with an associated access track. There is a pedestrian link through the site, which connects from Hall Drive to the north and follows the eastern site boundary to connect onto Thompson Avenue. To the north and east of the site there is a mixture of rear and side gardens. The site is generally flat with a slight rise towards the northeast and is predominantly well-maintained grass with an area to the northwest corner of the site, which comprises of overgrown vegetation.

2.16 The site is within walking distance of the local centre of Camperdown and is well connected to the local road network and the B1505. The employment and retail centres of the Killingworth Industrial Estates and Killingworth Town Centre are also nearby.

2.17 In relation to the proposed residential units a more detailed Landscape Scheme should be submitted, with reference to the layout of the general external areas including the associated garden areas (hard and soft). This should take

into account the prevailing landscape flavour and species of the wider area, including type and sizes of any proposed planting.

2.18 There is a clear opportunity to provide some secure individual tree planting and groupings within some of the private enclosed areas and more open aspect corner sites. The applicant should look at providing a wider level of environmental infrastructure, including some wild habitat area(s) to help mitigate some of the architectural form and the open space that will be lost.

2.19 Lead Local Flooding Authority

2.20 This application is for the development of 13 affordable residential units with associated parking, landscaping and public open space.

2.21 A Flood Risk Assessment (FRA) has been submitted as part of the application and surface water will be discharged into NWL sewers at agreed rates.

2.22 It is considered that the outline proposals are acceptable in principle and subject to detailed design, conditional approval is recommended.

2.23 Recommendation - Conditional Approval

2.24 Condition:

No development shall commence until a scheme for surface water management has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of effective surface water management

2.25 Contaminated Land Officer

2.26 Conditional approval is recommended. The following conditions are suggested:

CON01

GAS01

GAS02

GAS03

3.0 Representations

One letter of objection has been received. The objections are summarised below:

-I have contacted Ward Councillors regarding this development. I am disappointed that they did not turn up to the sessions at Festival Cottages about this development.

-I have not had a response from Ward Councillors to my concerns.

-Development will take away one of the few green spaces where children can play safely.

-I was told there would be informal grassed areas either side of the gardens of the new buildings. I asked at the consultation would they be happy with children playing right outside their garden when trying to get young children to sleep. They did not give an affirmative answer.

- Adding to the already congested areas (26 more vehicles based on each dwelling have two vehicles).
- Requiring access and parking in an estate that only has two entrances and exists and struggles to cope.
- Lack of visibility of the other sites that have been considered, together with reasons for rejection. I was told that 18 sites were being looked at, however another resident was informed that there was only one.
- Impact of affordable housing on house prices in the area. The Local MP has advised this does not matter when planning permission is being considered.
- If this goes ahead it is supposed to be taken forward by a developer. We were told that the homes were for people local to Camperdown to help house them without having to move from their local area. How is this to be implemented? What measures will be in place to ensure this happens?
- Ward Councillors have made no effort and have tarred yourselves with the same brush as all the other parties.

4.0 External Consultees

4.1 Tyne and Wear Archaeology Officer

4.2 I have no comments to make.

4.3 Northumbrian Water

4.4 In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

4.5 Having assessed the proposed development against the context outlined above we have the following comments to make:

4.6 The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for NWL to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

Condition: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter 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 NPPF.

4.8 How to satisfy the condition

4.9 The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally

-Sewer

4.10 If sewer is the only option the developer should contact NW to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre development enquiry directly to us.