

**Item No:** 5.1  
**Application No:** 15/01958/FUL Author: Julia Crebbin  
Date valid: 21 December 2015 ☎: 0191 643 6314  
Target 15 February 2016 Ward: St Marys  
decision date:

Application type: full planning application

**Location: West Farm, 44 Front Street, Earsdon, Whitley Bay, Tyne And Wear**

**Proposal: Refurbishment of existing farmhouse and farm buildings, with associated demolition and two storey and single storey new build extensions, in order to provide 6no. new dwellings**

Applicant: Monument Ltd., FAO Mr Andrew Richardson 68 Clayton Park Square Jesmond Newcastle Upon Tyne NE2 4DP

Agent: Miller Partnership Architects Ltd, Miss Jane Miller Miller Partnership Architects 101 Ouseburn Road Newcastle Upon Tyne Tyne And Wear NE6 5AF

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1.0 Description of the Site

1.1 The site to which the application relates is located at the western end of Earsdon village. It is accessed via Front Street from an access road, which also serves St. Alban's Church. The site comprises several stone buildings and wooden sheds, and it is currently vacant but was previously used for horse stabling.

1.2 To the north of the site is the Grade II listed Church, to the west is a small parking area and the Grade II listed church hall, to the east are residential units and to the south is Front Street, with further residential development beyond. The eastern part of the site extends to the north of No. 42 Front Street and to the boundary with No. 34 Front Street. The site is located within the designated Earsdon Conservation Area.

#### 2.0 Description of the Proposed Development

2.1 The proposal relates to the refurbishment of the existing farmhouse and farm buildings, with associated demolition and two storey and single storey new build extensions, in order to provide 6no. new dwellings.

### 3.0 Relevant Planning History

06/01871/FUL - Conversion and change of use of agricultural buildings / stables to provide 6 dwellings – Allowed on appeal 09.08.2007

06/01870/CON - Demolition of agricultural sheds. – Allowed on appeal 09.08.2007

10/01551/EXTN – Extension of time limit implementation of planning consent 06/01871/FUL (granted on appeal) for conversion and change of use of agricultural buildings/stables to provide 6 dwellings – Approved 22.12.2010

10/01580/EXTN - Extension of time limit for implementation of planning consent 06/01870/CON (granted on appeal) for demolition of agricultural sheds – Approved 22.12.2010

### 4.0 Development Plan

4.1 North Tyneside Council Unitary Development Plan (adopted March 2002)  
Direction from Secretary of State under Paragraph 1(3) of Schedule 8 to Town and Country Planning and Compulsory Purchase Act 2004 in respect of Policies in the North Tyneside UDP (August 2007)

### 5.0 Government Policy

5.1 National Planning Policy Framework (March 2012)

5.2 National Planning Practice Guidance (As Amended)

5.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

## **PLANNING OFFICERS REPORT**

6.0 The main issues in this case are:

- Principle of the Proposed Development;
- Impact on the Character and Appearance of the Conservation Area and Design and Layout;
- Impact on Surrounding Amenity and Amenity of Proposed Occupiers;
- Car Parking and Access;

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

### 7.0 Principle of the Proposed Development

7.1 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).

7.2 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 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 a persistent under delivery, the buffer should be increased by 20%.

7.3 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.

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

7.5 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.

7.6 The development plan is out of date. The North Tyneside Unitary Development Plan was adopted in March 2002, over 14 years ago. The plan period ran until 2006 and we are now significantly (10 years) beyond this. Following the advice in paragraph 14 of NPPF it states that where the development 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, when assessed against policies in the NPPF taken as a whole or specific in the Framework indicate that development should be restricted.

7.7 With regards to the housing land supply, 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. 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.

7.8 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.

7.9 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 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.

7.10 The application site was previously in use as stables. This use ceased last year and the site has remained vacant since. The application site is therefore a previously developed site located within a residential area, which is an appropriate site for residential development in accordance with the objectives of the NPPF and policy H5. The principle of the redevelopment of the site for residential purposes was previously established as acceptable via the approval of a planning application in 2007 (on appeal) and the extension of time granted in 2010 for the implementation of this approval for the demolition of several agricultural buildings on the site, along with conversion and new build for 6 dwellings.

7.11 Members must determine whether or not the principle of residential development on this site is acceptable, and whether the small contribution towards the five year housing land supply outweighs any harm arising from the development.

7.12 Officer advice is that the principle of residential development 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.

## 8. Impact on the Character and Appearance of the Conservation Area

8.1 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. In respect of designated heritage assets the NPPF states that when determining the impact on the significance of a heritage asset great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

8.2 The NPPF also states that local planning authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place.

8.3 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. 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.

8.4 E16/2 'Conservation Areas' states that development which would not preserve or enhance the, character appearance or setting of the conservation area will not be permitted. In assessing a development, particular consideration will be given to: (i) its design, scale, layout and materials, (ii) the impact on trees, (iii) the treatment of surrounding spaces and (iv) its, relationship to surrounding development.

8.5 DCPS No. 8 'Development Within Conservation Areas' sets out the material planning criteria that need to be taken into account when considering individual proposals

8.6 The Earsdon Village Character Appraisal (May 2011) is also a material planning consideration. This does not make any specific reference to the application site.

8.7 Policy H11 Design Standards and Development Control Policy Statement No.14 'New Housing Estates - Design and Layout' of the North Tyneside UDP refer to design and layout standards for new residential development including, scale, density, massing, construction, landscaping and materials, provision for parking, access, pedestrian and vehicle circulation and the impact of the proposal on its site, local amenity, the environment and adjoining land uses.

8.8 In support of the application, a Heritage, Design and Access Statement has been submitted. The statement states that it is focused upon detail of the design proposal and underlying rationale developed in response to heritage and conservation issues within the context of Earsdon Village Conservation Area together with consideration of impact that the proposals will have upon this. Furthermore, the statement asserts that the general scale, grain, density and arrangement of existing buildings will be maintained. Structures and building fabric which do not make a positive contribution to the character of the conservation area are to be removed, and lost floor space will be relocated into new, carefully designed extensions. The conversion to individual units will focus upon one distinct original building element utilising existing building fabric as far as possible.

8.9 The statement also advises that although buildings have been significantly altered over time and there are "no features in the farmstead of any individual significance", the effect of conversion of the buildings will have some visual impact. To ensure that this is not detrimental to the character of the Conservation Area, certain design issues have been prioritised as part of a considered design strategy.

8.10 A concern has been raised by local residents with regard to the amount of demolition and new build proposed, compared to the previously approved scheme, and also to the creation of windows overlooking the churchyard. It is acknowledged that the proposed development will result in the demolition of several buildings within the site, including the majority of the existing built form set around the courtyard to the north of No.42 Front Street, 3no. wooden sheds within the site and a number of poor quality non original additions to the properties within the site. Existing building fabric is to be retained at the West farmhouse, Low Barn, Stable, Cart Shed, High Barn, and a small amount at the Courtyard (boundary wall and the wall of the projection on the western side of the courtyard.)

8.12 The Tyne and Wear Historic Buildings Officer has offered his full support to the proposed development, stating that it represents a careful and sensitive conversion of the historic buildings with a clear approach regarding the assessment of the heritage assets together with well designed, contemporary extensions in the conservation area. He considers that the proposed scheme preserves and enhances the character of the West Steadings farmstead. Conditions are suggested to fully control all external alterations, and materials.

8.13 Members must determine whether the proposed development is acceptable in terms of its impact on the character and appearance of the Conservation Area, and whether the proposed design and layout is acceptable. Officer advice is that the proposed scheme makes good use of the existing arrangement of the site, and has been sensitively designed to provide an attractive design and layout. As per the comments provided by the Tyne and Wear Historic Buildings Officer, the proposal will preserve the character of the application site within the Conservation Area.

#### 9.0 Impact on Surrounding Amenity and amenity of proposed occupiers

9.1 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.

9.2 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.

9.3 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.

9.4 Development Control Policy Statement No. 14 sets out criteria in determining applications for residential development. The criteria include general and detailed design guidance, parking space 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.

9.5 The main concerns relate to the impact of the proposed development on the privacy and outlook of the occupants of No.42 Front Street. The occupants of No.42 were initially concerned that the new parking area, which is to abut the shared boundary wall, would result in a significant loss of privacy due to the ground level of the application site being set at a higher level. In response to this the applicant has advised that they are happy to accept a condition requiring this wall to be raised to a height of 1.8m from the ground level of the parking area. The objectors would rather that this part of the site was excavated back down to its original ground level (it appears that it has been filled in previous years by the last owner of the site), but are satisfied with this approach, subject to the work being done to an acceptable standard. The Conservation Officer is also happy with this compromise, subject to a condition to fully control this, i.e. height, materials, design, etc.

9.6 Concern has also been raised with regard to the impact of the new two storey courtyard dwelling on the existing levels of privacy for the occupiers of No.42. The existing building positioned within the northern boundary of this part of the site is single storey and only part of the roof is visible from the rear of No.42 (kitchen window and garden area). This building is located approximately 11.4m from the shared boundary with No.42 and has a ridge height of approximately 4.2m, albeit the ground level of the application site is believed to be approximately 1m - 1.5m higher than the floor level (and patio area) of No.42. The proposed new dwelling (with facing first floor windows) will be located approximately 10.4m from the shared boundary and will have a ridge height of approximately 6.2m.

9.7 Whilst the concerns raised by the occupants of No.42 are noted, it must be pointed out that the separation distance between No.42 and the south facing elevation of the proposed dwelling will be approximately 24.4m upon completion of the development. This respects advice provided in DCPS No.14 in relation to recommended separation distances between two storey facing elevations with habitable windows. DCPS No.14 recommends a minimum distance of 21m. However, it is noted that there is a difference in ground level, which will result in the proposed dwelling being set at a higher level than No.42. The applicants have advised that a great deal of thought has been put into issues of privacy between the proposed and existing dwellings - the building has been designed from the earliest stages with protection of the privacy and amenity of the occupants as part of the design strategy. This is reflected in the low eaves height and the height of the windows at a level below normal eye height to prevent overlooking, and most significantly the proposed windows would be screened using timber slats, which can be conditioned to ensure their retention.

9.8 It is considered that the measures incorporated by the applicants in terms of limiting the detrimental impact on the amenity of the occupants of No.42 are sufficient to ensure that the proposal will not result in such a high level of

overlooking and loss of privacy that refusal of the application is justified on these grounds.

9.9 Concerns have also been raised with regard to the appearance of the covered parking area for the courtyard. This will result in a timber faced elevation being located adjacent to the shared rear boundary with No.42. The proposed structure has been designed as a response originally raised by the occupants of No.42 in order to overcome potential structural issues with the boundary wall (see Landscaping section). Visually, the timber elevation will be visible from the rear garden of No.42, however it will be located approximately 14m from the rear elevation at an oblique angle. Aesthetically, it is considered to an acceptable contemporary design approach, and it will have a minimal impact on the residential amenity of the occupants of No.42.

9.10 Further objections have been received with regard to party wall issues, and the applicant has held discussions with the owners of No.42 regarding these. Some amendments have been made to the plans, i.e. the reduction of the south facing gable of the building which adjoins the rear boundary of No.42 to an agreed level in order to ensure that No.42's greenhouse structure is not damaged.

9.11 The proposal will not have a detrimental impact on the amenity of any other neighbouring properties. A condition is recommended to install obscure glazing to the first floor east facing elevation of unit 6 in order to prevent overlooking to the garden to the east of the site, given the proximity of the gable to the eastern boundary.

9.12 The Council's Environmental Health Officer has raised no objection to the proposed development but has recommended that a condition is attached for a noise scheme to ensure that internal noise levels for the proposed dwellings can be achieved to meet World Health Organisation requirements.

9.13 Objections have also been received with regard to disturbance from construction activities including dust, mess, and noise. The Environmental Health Officer has recommended that conditions are attached to the grant of approval to ensure that the impact of this activity is fully controlled and limited as much as possible in order to safeguard the residential amenity of surrounding occupants.

9.14 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, subject to the suggested conditions, the proposal is acceptable in terms of its impact on existing and future occupants.

#### 10.0 Car Parking and Access

10.1 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.

10.2 Supplementary Planning Document, LDD12 Transport and Highways, sets out the Council's adopted car parking standards.

10.3 Policy H13 sets out the criteria on the impact of the intensification of existing residential uses on neighbouring occupiers.

10.4 Policy T11 states that parking requirements will in general be kept to the operational maximum.

10.5 Objections have been received regarding the impact on the adjacent highway network, existing parking problems and access problems and pedestrian safety.

10.6 The Highways Network Manager has noted that in allowing the previous application for 6no. dwellings at this site, the Planning Inspector considered that a planning condition could be imposed to improve road markings at the entrance to the site. He has further advised that the site is accessed from Front Street, Earsdon via an access that has been established for many years and whilst the site has not been in use in recent times, it could reopen as a working farm with stables at any time. The developer has agreed in principle to provide improved road markings at the site access to improve visibility as outlined in the previous appeal.

10.7 The NPPF advises that a development should only be refused when the impacts are severe. In this case it is not considered that the impact will be so severe, when examined in the context of the existing access and parking situation in this area. Members are reminded that the applicant should not be expected to resolve existing problems. Parking has been provided in accordance with LDD12 and cars can manoeuvre within the site.

10.8 Members must determine whether the proposal is acceptable in terms of its impact on existing on street parking and highway safety, subject to the suggested conditions. The Highway Network Manager has recommended approval of the application subject to the suggested conditions.

## 11.0 Other Matters

### 11.1 Landscaping and Biodiversity

11.2 The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity. When determining planning applications the NPPF states that local planning authorities should refuse planning permission if significant harm resulting from development cannot be avoided, adequately mitigated or compensated for.

11.3 UDP policy E14 requires the LPA to seek to protect and conserve existing trees and landscape features within the urban environment and will encourage new planting in association with development and wherever possible in other suitable locations.

11.4 No trees exist within the curtilage of the application site itself, however a number of trees are located within the adjoining property and to St Albans Churchyard located to the north of the site. There is also a mature sycamore tree located in the neighbouring property (No.42 Front Street). The occupants of No.42 have raised serious concerns with regard to the impact of the mature sycamore tree in their garden on the proposed development. The tree is located immediately adjacent to the boundary wall and cracking is evident. The Council's Landscape Architect has advised that tree is causing damage to the boundary (party) wall but can be retained if the wall is rebuilt with concrete lintels installed over the tree roots, details which should be conditioned.

11.5 The submitted tree report refers to 2no mature trees located in the churchyard which have been identified as having the potential to cause major damage to the existing structures on site (Sycamore T5 and Oak T8). The report recommends that these trees should be removed from the church yard to prevent damage to the structures. The Council's Landscape Architect has advised that the trees should not be removed as a preventative measure without any actual evidence of damage to the structure by the trees roots. A condition is suggested to ensure that the applicant is aware that the trees are outside of the application site and planning permission does not give permission for their removal. Should there be structural evidence that the trees are resulting in a problem, this should be submitted via a TPO application.

11.6 UDP policy E12/6 states that development which would adversely affect the contribution of a site to biodiversity within a wildlife corridor will not be permitted unless appropriate mitigation is provided.

11.7 A bat risk assessment and survey has been submitted, this concludes that was no evidence of a bat presence within any of the buildings. However, there were signs within several of the structures that form part of this survey to show nesting behaviour by barn swallows.

11.8 The survey sets out a number of mitigation measures which should be following during demolition and construction works. A condition is suggested to ensure that the mitigation measures are followed.

11.9 Members must determine whether the proposed development is acceptable in terms of its impact on landscaping and ecology and complies with the NPPF and UDP policies E12/6 and E14.

#### 12.0 Coal Mining Risk Assessment

12.1 Paragraphs 120-121 of the NPPF state that policies and decisions should ensure that new development is appropriate for its location in order to prevent unacceptable risks from pollution and land instability. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

12.2 Policy E8 of the UDP provides that future dereliction or contamination should be prevented by imposing restoration and aftercare conditions on

appropriate development permissions.

12.3 The application site is located within an area designated by The Coal Authority as being at high risk from previous coal mining activity. The applicant has submitted a Phase 1 Desk Top Study Report.

12.4 The Coal Authority has considered the Phase 1 report and raised no objection to the proposed development and has advised that the report is sufficient for the purposes of the planning system, subject to the suggested condition to ensure that the application site is safe and stable for the proposed development.

12.5 The Council's Contaminated Land Officer has also provided comments on the application. Given the sensitive end use, the location of the application site within the high risk area, and within 250m of a landfill site, she has requested that conditions be attached to the grant of approval requiring gas and contamination investigations to be undertaken at the site prior to the commencement of any development.

12.6 Members must determine whether the proposal is acceptable in terms of land stability and contamination matters. Officer advice is that, subject to the suggested condition, the proposal is acceptable in this regard.

### 13.0 Drainage and Flood Risk

13.1 NPPF states that when determining application, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment following the Sequential Test.

13.2 The application site is located within Flood Zone 1, the lowest risk.

13.3 Northumbrian Water has not submitted any comments on the proposed scheme. However, it is considered that the comments provided on the previous scheme for this site for 6no. dwellings are applicable. Northumbrian Water previously advised that new discharges of foul and surface water should be on separate systems. A condition is suggested to ensure this.

13.4 In addition, as per the comments of the Highway Network Manager details of a surface water management scheme must be submitted to the LPA for approval.

13.5 It is officer advice that subject to the suggested condition the proposal would accord with the advice in NPPF in terms of flood risk.

### 14.0 Archaeology

14.1 National Planning Policy Framework (NPPF) states that heritage assets are irreplaceable resource and should be conserved in a manner appropriate to its significance.

14.2 Paragraph 128 of NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of the any heritage assets affected.

14.3 Paragraph 129 of NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

14.4 UDP policy E19/6 states that where assessment and evaluation have been established that a proposed development will affect a site of Archaeological Interest, the applicant will be required to preserve the archaeological remains in-situ unless this is inappropriate or destruction of the remains is demonstrably unavoidable in which case a programme of archaeological works will be required.

14.5 The application site lies within the presumed extent of Earsdon medieval village.

14.6 The Tyne and Wear Archaeology Officer has raised no objection to the proposed development but has recommended that the farmhouse needs to be archeologically recorded before refurbishment, and that an archaeological watching brief needs to be undertaken during ground works in order that any buried archaeological remains can be recorded. Conditions are recommended to require this work to be undertaken.

#### 15.0 Conclusion

15.1 In conclusion, Members must determine whether the proposal for the residential development of this previously developed site is acceptable in terms of its layout, design, scale, density, massing, privacy, outlook, parking and access, and the impact on the character and appearance of the Conservation 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 policy and would therefore be acceptable. Members are recommended to approve the application, subject to the suggested conditions.

**RECOMMENDATION: Application Permitted**

#### **Conditions/Reasons**

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

3. Notwithstanding any indication of materials which may have been given in the application, no development shall take place to the existing buildings or on construction of any new buildings until a schedule and/or samples of all materials and finishes, including surfacing materials and rainwater goods, slate, walling including new lime mortar sample 2m x 1.5m high, paving, free standing walls, timber screens, shared surface material for the development has been 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 secure a satisfactory external appearance having regard to policies E16/2, H11 and DCPS No.9 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding Condition 1, prior to the commencement of construction works, plans 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 H13 of the North Tyneside Unitary Development Plan 2002.

5. 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 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.

6. No development shall commence above damp proof course 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 in

accordance with the advice in the National Planning Policy Framework.

7. The scheme for refuse storage 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 and shall be 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 H13 of the North Tyneside Unitary Development Plan 2002.

8. Prior to the occupation of the dwellings hereby approved a detailed scheme to provide appropriate noise mitigation measures to all habitable rooms must be submitted to and approved in writing by the Local Planning Authority. The scheme shall assess the impact of any external noise sources (including road traffic noise and other external noise sources) and the mitigation measures shall give a resultant noise level of below 30 decibels and maximum noise level of 45dB for bedrooms and 35 decibels for living rooms in accordance with BS8233. The scheme must provide full details of all necessary sound attenuation measures, such as acoustic glazing and passive ventilation to all windows. Thereafter all works must be carried out in accordance with the approved details and retained at all future times.

Reason: To protect the occupiers of the approved dwellings from noise and odour disturbance in accordance with policies E3, H11 and H13 of the North Tyneside Unitary Development Plan 2002.

9. The development shall be carried out in accordance with Mitigation Measures set out in Section E of the submitted Risk Assessment and Bat Survey dated 23.11.2015.

Reason: In the interest of biodiversity and having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002.

10. Notwithstanding condition 1, prior to the construction of any dwelling above ground level details of bird and bat boxes of a brick design and their location shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with an agreed timescale.

Reason: In the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002.

11. Altered Access Access Alt Before Devel ACC14 \*H11

12. No part of the development shall be occupied until an area has been laid out within the site for cars to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

13. Veh Parking Garaging before Occ PAR04 \*H11



14. No development shall commence until a scheme for improved road markings at the site access 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 and before the development is occupied.

Reason: This information is required at the outset in order to ensure that a safe access is in place prior to construction works starting on site in accordance with Policy H11 of the North Tyneside Unitary Development Plan 2002.

15. Restrict Hours No Construction Sun BH HOU04 \*

16. Restrict Hours No Demolition Sun BH HOU05 \*

17. 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 residents and public use of land;
  - iii) To determine the potential for the pollution of the water environment by contaminants and;
  - iv) The implication for residential development of the site and the quality of the residential 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 form 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: 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.

18. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the

foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy E3; of the North Tyneside Unitary Development Plan 2002.

19. Any pruning works to trees are to be undertaken in accordance with BS 3998 (2010) 'Recommendations for Tree Work' and the submitted Arboricultural Survey, dated 08.12.2015.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy E14 of the North Tyneside Council Unitary Development Plan 2002

20. Notwithstanding the details submitted in the Arboricultural Survey, undertaken by Stuart Johnson, Consultant Ecologist, dated 08.12.2015, the trees identified at T5 Sycamore and T8 Oak must be retained.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management as no evidence has been provided to justify the removal of these trees, having regard to Policy E14 of the North Tyneside Council Unitary Development Plan 2002

21. Prior to the commencement of any works, full details must be submitted to and approved in writing of how the tree roots to the tree identified as T9 sycamore will be protected during the course of the demolition and construction works. The details will include any structural requirements such as 'bridging over' tree roots with lintels etc.

Reason: This is required from the outset of development in order to safeguard the protected tree and to ensure that appropriate measures are taken to ensure that the tree roots will not result in any damage to the proposed development having regard to policies H11 and E14 of the North Tyneside Council Unitary Development Plan 2002

22. No demolition/development shall take place until a programme of archaeological building recording has been completed of the farmhouse, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 141 of the NPPF, and saved UDP policy E19/6

23. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and , if necessary, emergency salvage undertaken in accordance with paragraph 141 of the NPPF and saved UDP policy E19/6

24. The buildings shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition 23 has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 141 of the NPPF and saved UDP policy E19/6

25. Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;

- The submission of a scheme of remedial works for approval; and

Thereafter the development should be implemented in accordance with the remediation/treatment works identified in the assessment and which are agreed with the Local Planning Authority.

Reason: This is required from the outset of development in order to ensure that the historical coal mining legacy is taken into account and appropriately mitigated to ensure a safe development in accordance with the advice in NPPF.

26. Prior to occupation of any part of the approved development full details of how the boundary wall between the application site and No.42 shall be raised to a height of 1.8m from the ground floor level of the application adjacent to this boundary shall be submitted to and approved by the Local Planning Authority in writing. The details shall include a site plan showing the extent of the wall in

question, elevational drawings of the proposed wall and full specifications of materials and finishes. The wall shall then be constructed in accordance with the approved details prior to occupation of the development and retained thereafter.

Reason: To protect the privacy of the occupants of No.42 Front Street in accordance with policy H11 of the UDP.

27. Prior to the installation of any mechanical ventilation and boiler flues, i.e. from kitchens and bathrooms, full details must be submitted to and approved in writing by the Local Planning Authority. Such details shall include the terminal type and elevational drawings. The development shall be carried out in accordance with the approved details.

Reason: To preserve the character and appearance of the Conservation Area in accordance with policy E16/2 and DCPS No.8 of the North Tyneside Unitary Development Plan 2002.

28. Prior to the installation of any external lighting to the approved development, full details of the lighting must be submitted to and approved in writing by the Local Planning Authority. Such details shall include positions and locations of all lighting. All external lighting must be in accordance with guidance provided by the Institute of Lighting, and the lighting must be angled in such a direction so the residents of the surrounding dwellings do not experience any glare from the approved development. Thereafter the lighting shall be maintained and operated in accordance with the aforementioned guidance.

Reason: To protect the appearance of the area, the environment and local residents from light pollution having regard to Policies E16/2, H11 and DCPS No.8 of the North Tyneside Council Unitary Development Plan 2002.

29. Prior to the first occupation of the approved development and the installation of any of the following full details shall be submitted and approved in writing by the Local Planning Authority:

- Details of all external decoration
- Details of any signage
- Details of external timber fences and screens
- Details of contemporary flues
- Details of garden storage and bin stores
- Details of new flush conservation rooflights
- Existing agricultural ventilation slits glazed - full details
- Full joinery details of new windows to farmhouse
- Full details of any external meter boxes - electricity and gas

The development shall then be completed in accordance with the approved details and retained thereafter.

Reason: In order to preserve and enhance the character and appearance of the Conservation Area in accordance with policy E16/2 of the UDP.

30. Notwithstanding the approved plans, no development shall take place to the existing buildings or on construction of any new buildings until the following details have been submitted to and approved in writing by the Local Planning Authority:

- FARM HOUSE (Property No. 1) - Large scale elevation drawings for the

restored rear elevation

- FARM HOUSE (Property No. 1) - Large scale elevation and details of new contemporary glazed opening and glazing system following removal of small rear extension

- FARM HOUSE (Property No. 1) - Full joinery details of new windows to farmhouse

- CART SHED (Property No. 2) - large scale details of new glazed opening and glazing system and full details of visual screening to end bay adjacent to site entrance

- LOW BARN (Property No. 3) - large scale details of new glazed opening and glazing system and full details of visual screening to gable end wall

- LOW BARN (Property No. 3) - new openings in existing wall (large scale details)

- LOW BARN (Property No. 3) - large scale elevation drawings and details for the new contemporary extension

- STABLES (Property No. 4) - large scale details of new glazed opening and glazing system together with large scale elevation and details of the new large oak sliding door and overhead track

- HIGH BARN (Property No. 5) - large scale details including glazing system to new band of glazing (frameless system) and full details of the raising of the wall heads at eaves

- THE COURTYARD (Property No. 6) - full details of new gate in reinstated pedestrian access

The development shall then be carried out in full accordance with the approved details prior to occupation, and retained thereafter.

Reason: In order to protect and enhance the character of the Conservation Area and ensure that the development is of an acceptable standard in accordance with policies E16/2 and H11 of the North Tyneside Unitary Development Plan 2002.

31. Notwithstanding the approved plans, the first floor windows to the east facing elevation of Unit 6 shall be obscure glazed and fixed shut to a height of 1.8m above floor level and retained thereafter.

Reason: In order to protect the amenity of the neighbouring occupants to the east, having regard to H11 of the North Tyneside Unitary Development Plan 2002.

**Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):**

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.



**Informatives**

Building Regulations Required (I03)

Contact ERH Construct Highway Access (I05)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

Coal Mining Standing Advice (FUL,OUT) (I44)



**Application reference: 15/01958/FUL**

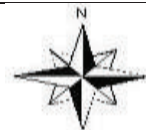
**Location: West Farm, 44 Front Street, Earsdon, Whitley Bay**

**Proposal: Refurbishment of existing farmhouse and farm buildings, with associated demolition and two storey and single storey new build extensions, in order to provide 6no. new dwellings**

Not to scale

Date: 25.02.2016

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## Item 5.1

### Appendix 1 – 15/01958/FUL

#### Consultations/representations

##### 1.0 Internal Consultees

##### 1.1 Tyne and Wear Historic Buildings Officer

1.2 I can support the scheme, the approach represents a careful and sensitive conversion of the historic buildings with a clear approach regarding the assessment of the heritage assets together with well-designed contemporary extensions in the conservation area. I believe the proposed scheme preserves and enhances the character of West Steadings farmstead.

1.3 I suggest we condition the following :

- 1) All details relating to mechanical ventilation i.e. from kitchens and bathrooms – terminal type (metal) with positions shown on the elevations
- 2) All details relating to boiler flues – terminal type with positions shown on elevations
- 3) All details relating to external light – type of fitting and positions/locations (timber bollard type for shared spaces) external lights attached to buildings
- 4) Sample of all external materials – slate, walling including new lime mortar sample 2m x 1.5m high, paving, free standing walls, timber screens, shared surface material
- 5) Details and sample of rainwater goods (to be metal) gutters and downpipes
- 6) Details of all external decoration
- 7) Details of any signage
- 8) Details of external timber fences and screens
- 9) Details of contemporary flues
- 10) Details of garden storage and bin stores
- 11) Details of new flush conservation rooflights
- 12) Existing agricultural ventilation slits glazed – full details
- 13) Full joinery details of new windows to farmhouse
- 14) Full details of any external meter boxes – electricity and gas
- 15) FARM HOUSE (Property No. 1) – large scale elevation drawings for the restored rear elevation
- 16) FARM HOUSE (Property No. 1) – large scale elevation and details of new contemporary glazed opening and glazing system following removal of small rear extension
- 17) FARM HOUSE (Property No. 1) - Full joinery details of new windows to farmhouse
- 18) CART SHED (Property No. 2) - large scale details of new glazed opening and glazing system and full details of visual screening to end bay adjacent to site entrance
- 19) LOW BARN (Property No. 3) - large scale details of new glazed opening and glazing system and full details of visual screening to gable end wall
- 20) LOW BARN (Property No. 3) - new openings in existing wall – large scale details
- 21) LOW BARN (Property No. 3) – large scale elevation drawings and details for the new contemporary extension – (this is generic across the scheme)

22) STABLES (Property No. 4) - large scale details of new glazed opening and glazing system together with large scale elevation and details of the new large oak sliding door and overhead track

23) HIGH BARN (Property No. 5) – large scale details including glazing system to new band of glazing (frameless system), full details of the raising of the wall heads at eaves

24) THE COURTYARD (Property No. 6) – full details of new gate in reinstated pedestrian access

1.4 I spoke to the architect and he confirmed that in the case of new build extensions these will be built using the same materials, using the same details will be used throughout, the same glazing system will be used for new large glazed openings. New timber sliding sash windows will be used in the farm house. High Barn Property 5 (eaves being raised) a band of windows is to be introduced – this will be a frameless glass system

#### 1.5 Highway Network Manager

1.6 This application is for the refurbishment of the existing farmhouse & farm buildings with associated demolition and two storey & single storey new build extensions in order to provide six new dwellings. A similar application refused permission in 2006 but was allowed on appeal (06/01871/FUL) and granted an extension of time in 2010 (10/01551/EXTN). When allowing the appeal, the Planning Inspector considered that a planning condition could be imposed to improve road markings at the entrance to the site.

1.7 The site is accessed from Front Street, Earsdon via an access that has been established for many years and whilst the site has not been in use in recent times, it could reopen as a working farm with stables at any time. The developer has agreed in principle to provide improved road markings at the site access to improve visibility as outlined in the previous appeal.

1.8 Parking has been provided in accordance with LDD12 and cars can manoeuvre within the site.

1.9 Refuse will be stored in each dwelling and placed at a dedicated location set back from the adopted highway on collection day then collected by from the main carriageway.

1.10 For the reasons outlined above and on balance conditional approval is recommended. Recommendation - Conditional Approval

#### 1.11 Conditions:

ACC14 - Altered Access Access Alt Before Devel

ACC25 - Turning Areas: Before Occ

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

1.12 No development shall commence until details of a surface water management scheme have been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and before the development is occupied.  
Reason: In the interests of surface water management

1.13 No development shall commence until a scheme for improved road markings at the site access 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 and before the development is occupied.  
Reason: In the interests of surface water management  
Reason: In the interests of highway safety

#### 1.14 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

#### 1.15 Environmental Health (Pollution)

1.16 I can support the application in principle but would make the following comments:

1.17 All demolition work should take place between the times of 08:00 - 18:00 Monday to Friday and 08:00 - 14:00 Saturday with no working on Sundays or Bank Holidays.

1.18 All construction work shall take place between the hours of 08:00- 18:00 Monday - Friday and 08:00 - 14:00 Saturdays with no working on Sundays or Bank Holidays.

1.19 SIT03 Prior to the development commencing a detailed scheme to prevent the deposit of mud and other debris onto the highway and to suppress dust arising from construction activities shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the means proposed to remove debris arising from the construction from the highway, and the provision of suitable water spraying equipment to suppress dust in dry conditions. Thereafter development shall not be carried out other than in accordance with the approved details and the approved measures shall be retained on site for the duration of the works and used on all occasions when visible dust emissions are likely to be carried from the site eg during dry, windy conditions.

1.20 A noise scheme will be required to ensure that internal noise levels can be achieved to meet World Health Organisation requirements; living rooms must

meet a level of 35 dB and bedrooms a level of 30dB at night. A noise survey must be carried out to ensure the proposed design is capable of achieving these levels.

#### 1.21 Contaminated Land Officer

1.22 Due to the proposed sensitive end use and a landfill within 250m the following should be attached:

#### 1.23 CON 01

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 residents and public use of land;
  - iii) To determine the potential for the pollution of the water environment by contaminants and;
  - iv) The implication for residential development of the site and the quality of the residential 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 form 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: 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.

**GAS 01:**

The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

- a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.
- b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

- c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy E3; of the North Tyneside Unitary Development Plan 2002.

#### 1.24 Landscape Architect

1.25 A tree survey has been submitted with the application. No trees exist within the site, however a number of trees are located within the adjoining property and to St Albans Churchyard located to the north of the site. There is also a mature sycamore tree T9 ( located in the neighbouring property).

1.26 The proposed development would utilise existing structures and areas of hard standing within the site. Trees located outside the site boundary have the potential to cause structural damage to the current and proposed converted buildings. However, the report identifies that the buildings on site and areas of hard standing have been in situ for a considerable period of time with the trees growing alongside the buildings therefore it is unlikely that there will be an impact upon the rooting zones of the trees in the surrounding area.

1.27 However there are 2no mature trees located in the churchyard which have been identified as having the potential to cause major damage to the existing structures on site which have been identified as Sycamore T5 and an oak T8 located to the immediate north of one of the structures. The report recommends that two trees, a sycamore T5 and an Oak T7, should be removed from the church yard to prevent damage to the structures.

1.28 I am reluctant to allow removal as a preventive measure without actual evidence of damage to the structure by tree roots and any evidence should be submitted for comment. Recent information submitted by the arboriculturalist has looked at the impact of the development in relation to T9, a sycamore tree located within 42 Front Street. This tree is causing damage to the boundary (party) wall but can be retained if the wall is rebuilt with concrete lintels installed over the tree roots, details which should be conditioned.

- Any pruning works are to be undertaken in accordance with BS 3998 (2010)

- 'Recommendations for Tree Work' and details submitted for comment
- Notwithstanding the details in the arboricultural report T5 sycamore and T8 Oak are to be retained
  - Details submitted as to how tree roots to T9 sycamore located in the neighbouring property will be protected during the course of the works including any structural requirement such as 'bridging over' tree roots with lintels etc.

#### 1.29 External Consultees

##### 1.30 Northumberland and Newcastle Society

1.31 The committee commended this scheme for its sensitive conversion of a group of historically and visually important buildings in the Earsdon conservation Area. Exception was taken however to the use of a modern style of door which incorporates a semi-circular fanlight. This design has no historical precedent and is not appropriate to be used in the conversion of historic buildings in an otherwise sensitively detailed scheme.

##### 1.32 Tyne and Wear Archaeology Officer

1.33 The site lies within the presumed extent of Earsdon medieval village.

1.34 The earliest reference to Earsdon seems to be in the early 12th century when it was listed among the possessions of Tynemouth Priory (Henry I granted the land to the Priory between 1106 and 1116 AD). There are further documents dating to 1292 and 1296. The number of holdings decreased in the later Middle Ages, and in 1538 there were only 8 farms. In 1649 the common fields were enclosed. Earsdon was basically a 2-row village, probably with a green, with a strong rectangular outline until the 19th and 20th century accretions along its southern edge destroyed this. A subsidiary row lies north of and parallel to Front Street.

1.35 West Farm was built before 1849, comprising of a farmhouse, central barn, stable, cart shed and other buildings. By 1860 a horse-gin house had been added and the main barn was extended. By 1897 the T-shaped structure which is present today was created by joining two buildings together. Since 1938 the horse gin and shed north of the farm entrance have been demolished. The stockyard and three ranges of brick and stone stables, once part of neighbouring East Farm, were added to the West Farm steading, through demolition of the dividing wall. Most of the farm buildings are built of sandstone rubble, with squared masonry in the outer walls that face the street. The "Earsdon Town West Farm" of the seventeenth century was owned by a Newcastle weaver called John Pigg. He died in 1688 or 1689 leaving his estate to trustees to run on behalf of his niece, Ann Rea. In 1849 William Storey was tenant of West Farm.

1.36 An archaeological desk based assessment and building recording was produced in 2005 by Archaeological Services Durham University for The Northumberland Estates. The Heritage Statement says this report has been submitted with the application but I can't see it on the web. Ian McCaffrey and Peter Derham will, I am sure, find this report useful. The report therefore needs to be submitted. I have a copy but it's too big to email.

1.37 The existing farm buildings comprise:

- Building A (as shown on attached plan) - a one-storey barn with loft (coursed rubblestone and quoins), possibly originally a stable as it has no ventilators
- Building B – the oldest building on the site. Single storey with blocked loft windows and ground floor window with massive lintel and sill. Three segmental-headed cart openings in south wall. East gable has an inserted vehicle door.
- Building C – single storey shed with two blocked slit ventilators in west face and block door. Inserted steel roller door in south wall, inserted square windows.
- Building E – two storey barn with dressed quoins, slit ventilators, original window openings with large sills and quoins, inserted modern doors, original door in south wall now a window, first floor loading door to loft over a blocked window, evidence of former horse gin is absent
- Building F – open-fronted shed, timber lintel supported on two cast iron columns
- Building G – cart shed with segmental arch
- Building H - stable
- Building I – brick and stone building with concrete tiled roof, was open on east side but now in-filled to provide a stable, two blocked doors, blocked ventilator
- Building J – brick with slate roof, eastern part of yard is enclosed with a modern steel-framed building

1.38 Archaeological work required:

- 1 the farmhouse was not recorded in 2005. This needs to be archaeologically recorded before refurbishment.
- 2 archaeological watching brief during ground works in order that any buried archaeological remains can be recorded.

1.34 Archaeological Building Recording Condition:

No demolition/development shall take place until a programme of archaeological building recording has been completed of the farmhouse, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

1.39 Archaeological Watching Brief Condition :

No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and , if necessary, emergency salvage undertaken in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and

saved UDP policy E19/6

1.40 Archaeological Watching Brief Report Condition:

The buildings shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition ( ) has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

I can provide a specification for the archaeological work when required.

1.41 The Coal Authority

1.41 The Coal Authority concurs with the recommendations of the Phase 1 Desk Study Report and Coal Mining Risk Assessment (October 2015); that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

1.42 The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

1.43 In the event that the site investigations confirm the need for remedial works to treat the areas of shallow coal mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

1.44 A condition should therefore require prior to the commencement of development:

- \* The submission of a scheme of intrusive site investigations for approval;
- \* The undertaking of that scheme of intrusive site investigations;
- \* The submission of a report of findings arising from the intrusive site investigations;
- \* The submission of a scheme of remedial works for approval; and
- \* Implementation of those remedial works.

1.45 The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

1.46 Ward Councillor

1.47 Councillor Judith Wallace

1.48 I request that the above application be decided by the Planning Committee as there are serious concerns from residents about the size and height of proposed buildings, in a Conservation Area.

### 1.49 Representations

5no. objections have been submitted, these are summarised as follows:

- Main reason for objection is parking and traffic/ pedestrian safety. In addition to the inconvenience of not being able to park close to home regularly, the increase in vehicles may lead to further safety issues; we have seen cars parked on the yellow lines on Front Street and on corners – which means vehicles attempting to exit the new development will have their view severely restricted which is extremely dangerous. Further risk for pedestrians in the village, in particular children and pensioners.
- The church and Eccles Hall are used by many people and this development is going to make crossing the road and parking here extremely dangerous. The speed limit through Earsdon village is 20 mph and is rarely kept to by people using the back road as a short cut at high speed.
- Noise, dust, dirt, fumes, disturbance and privacy of the building work to surrounding properties, with work vehicles constantly coming in and out of the village.
- Not an appropriate place to have access to a large development and a large amount of extra vehicles going in and out at the specific point.
- Where will visitors to the new development park?
- What provisions have been made to accommodate this level of traffic and required parking?
- Overall plans for the site look good. Main concern is for the height of the new Courtyard building shown on the plan for the North Elevation of the Courtyard. Existing building is single storey, proposal is to increase the height to two stories with new windows to the North. Single story building on this plot without the new window openings to the North Elevation would be more appropriate and would match the roofline of the current building.
- In favour of redevelopment of the site as a whole, but the proposed scheme will result in significant impact on 42 Front Street.
- Impact on our property due to works to boundary walls.
- Tree in north western corner of rear garden (42) is already causing damage to boundary wall, it is inadvisable to attach a new build property to this wall as further tree and root growth is likely to cause structural damage to the proposed property. Insufficient attention has been given to this tree in the arboricultural report. We do not want to be subject of financial claims in the future due to failings in the consideration of this tree and its implications for the development. A covered parking area is not integral to the development.
- Immediately to the rear of the farmhouse the ground level is much higher than No.42. Overlooking from new parking spaces adjacent to boundary wall due to this difference.
- Impact on privacy of No.42 due to new two storey courtyard property to rear at higher ground level.
- Prior consultation should have been given to occupants of No.42 given the substantial impact on this property.
- Existing buildings should be converted where possible rather than demolished. Redevelopment proposals do not follow the original footprint. Insufficient merit has been given to the merits of the existing structures. Original planning permission for this site was more appropriate and involved more conversion and retention of existing footprint.