

ADDENDUM 1 - 7.7.16

Item No: 3

Application No:	16/00326/FUL	Author :	Haley Marron
Date valid:	29 February 2016	☎:	0191 643 6330
Target decision date:	30 May 2016	Ward:	Camperdown

Application type: full planning application

Location: Silverbirch Hi Tech Units Mylord Crescent Camperdown Industrial Estate Camperdown NEWCASTLE UPON TYNE

Proposal: Proposed 40no. dwellings (10 no. 2 bed houses, 26 no. 3 bed houses and 4 no. 2 bed bungalows) with associated landscape and infrastructure works. Revised noise survey and house types submitted 27.5.16.

Applicant: Galliford Try Partnerships North, FAO Mr David Atkinson 2 Esh Plaza Sir Bobby Robson Way Great Park Newcastle Upon Tyne NE20 9SG

Agent: Blake Hopkinson Architecture LLP, FAO Mr Darren Blake 11 New Quay North Shields Tyne And Wear NE29 6LQ

RECOMMENDATION: Application Permitted

Following publication of the committee report and discussions with the applicant amendments are proposed and the revised conditions are set out below.

1) The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application form.
- Location plan (Scale 1:1250)
- Existing site plan Dwg No. 100/11 Rev 2
- Existing site sections Dwg No. 100/12 Rev 2
- Proposed site plan Dwg No. 200/01 Rev 22
- Proposed external finishes Dwg No. 700/02 Rev 5
- Proposed sections and visualisations Dwg No. 200/02 Rev 4
- External Finishes Schedule Doc No. 600/01/Rev 1
- Proposed External Finishes (Surfaces) Dwg No. 700/02 Rev 4

House types:

- A38 Dwg No. 300/05 Rev 2 and 300/05 Rev 3
- A34 Dwg No. 300/04 Rev 2 and 300/04 Rev 3
- A32 Dwg No. 300/03 Rev 2
- A22 Dwg No. 300/01 Rev 2 and 300/01 Rev 3

A26 Dwg No. 300/02 Rev 2 and 300/02 Rev 3

Reason: To ensure that the development as carried out does not vary from the approved plans.

2) No other part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

3) No part of the development shall be occupied until an area has been laid out within the site for refuse vehicles 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.

4) Notwithstanding Condition 1, the construction of the adoptable estate roads and footways shall not commence until the construction details have been approved in writing by the Local Planning Authority. No dwelling shall be occupied until the estate roads which provide access to the development from the existing highway have been laid out in accordance with these agreed details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

5) Notwithstanding Condition 1, the construction of the adoptable estate roads and footways shall not commence until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with these agreed details.

Reason: In order to minimise flood risk in accordance with NPPF.

6) Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Construction Management Plan details.

Reason: In the interests of highway safety having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

7) Notwithstanding Condition 1, 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 having regard to NPPF.

8) Notwithstanding Condition 1, prior to construction of any of the dwellings hereby permitted above damp proof course level the following details (if applicable) and a timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority:

- Upgrade of footpaths fronting site
- Provision of footway crossings
- Construction of visitor parking bays
- Upgrade of carriageway as necessary
- Associated street lighting
- Associated drainage
- Associated road markings

Thereafter, these agreed works shall be carried out in accordance with the agreed timescales and retained thereafter.

Reason: 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.

9) Notwithstanding condition 1, prior to the construction of any dwelling above ground level a detailed landscaping plan including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include new native hedge, tree and meadow grassland planting. Thereafter, the development shall only be carried out in accordance with these agreed details. 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.

10) Notwithstanding condition 1, prior to the occupation of any dwelling details of bird and bat box designs and their proposed locations shall be submitted to and approved in writing by the Local Planning Authority. A total of 5 bird and 3 bat boxes will be installed within the scheme. The bird and bat boxes shall be installed prior to the completion of the development and shall be retained thereafter.

Reason: In the interests of wildlife protection having regard to NPPF.

11) Notwithstanding Condition 1, prior to the occupation of any dwelling suitable hibernacula for hedgehog shall be provided in accordance with the details approved in writing by the Local Planning Authority and shall be retained thereafter.

Reason: In the interests of wildlife protection having regard to NPPF.

12) Notwithstanding Condition 1, any orchid(s) found on site shall be translocated into an appropriate landscaped area within the site (e.g. meadow grassland).

Reason: In the interests of wildlife protection having regard to NPPF.

13) Notwithstanding condition 1, the tree protection measures shall be provided in full accordance with the submitted Arboricultural Method Statement.

Reason: In the interests of wildlife protection having regard to NPPF.

14) No vegetation removal shall take place within the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has checked for the presence of nesting birds and these results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of wildlife protection having regard to NPPF.

15) 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.

16) The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and National Planning Policy Framework.

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) Notwithstanding Condition 1, drainage works shall not commence until a detailed scheme for the disposal of surface and foul 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.

20) Notwithstanding Condition 1, prior to the operation of any part of the development hereby approved, the applicant shall undertake all necessary procedures required under Section 247/257 of the Town and Country Planning Act 1990 to secure the following;

- Stop up the adopted highway within the site that is no longer required.

Reason: In the interests of highway safety in accordance with policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

21) Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course level details of all boundary treatments and the acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority. These details shall include: a 1.8m high acoustic barrier to all gardens facing Mylord Crescent and Station Road and a minimum of a 2.5m high acoustic barrier (Figure 7 of report ref 5033.2 E) to ensure a minimum of 55dB for external noise. These details must take into account the difference in levels between the site, Station Road and the A1056 to ensure that the acoustic barrier in the gardens equates to 1.8m in height at road level for Station Road and 2.5m in height at road level for the A1056. Thereafter, all boundary treatments, including the acoustic barriers, hereby approved shall be installed prior to the occupation of each dwelling and retained thereafter.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

22) Notwithstanding Condition 1, prior to the occupation of any details of the acoustic glazing and ventilation must be installed in accordance with details approved in writing by the Local Planning Authority. These details must

ensure that the minimum glazing and ventilation systems as stipulated in Table 1 and Figure 1 of the submitted report (Ref 5033.2E) are given to meet the upper internal noise levels as set out in Table 2 of the submitted report (Ref 5033.2E) for road traffic noise from Mylord Crescent and Station Road. Plots 15 to 32 must be provided with acoustic glazing 10-16-9.1 laminated double glazing and AD-F system continuous mechanical extract and a single acoustic trickle vent. The acoustic glazing must demonstrate the following internal noise levels in accordance with BS8233:

-30 dB at night in bedrooms and L max 45 dB.

-35dB during the day and

-35 and 40 dB for living room and dining room respectively.

Thereafter, the development shall be carried out in complete accordance with these agreed details. The agreed mitigation measures shall be installed prior to occupation of each dwelling and permanently retained.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

23) Notwithstanding Condition 1, prior to the occupation of any dwelling details of the acoustic glazing and ventilation system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include minimum glazing and ventilation systems as stipulated in Table 1 and Figure 1 of the submitted report (Ref: 5033.2E) are given to meet the upper internal noise levels as set out in Table 2 of the submitted report (Ref: 5033.2E) for mixed road and industrial noise. The systems require mechanical ventilation AD-F system adequate to allow purge ventilation and acoustic glazing of 10-16-9.1 laminated double glazing or glazing of equivalent acoustic performance to be fitted to facades affected by traffic and industrial noise along the western and southern boundaries (Plots 11-14 and 35 - 40). The acoustic glazing details will need to demonstrate the following internal noise levels:

-30 dB minus BS4142 penalty at night in bedrooms and L max 45 dB.

-35dB minus BS4142 penalty during the day and

-35 and 40 db minus BS4142 penalty for living room and dining room respectively.

If there are any increase in window areas to rooms where the mitigation measures shall be installed further details will need to be submitted to ensure that the internal noise levels are met. Thereafter, the development shall be carried out in complete accordance with these agreed details. The agreed mitigation measures shall be installed prior to occupation of each dwelling and permanently retained.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

24) Notwithstanding Condition 1, prior to the commencement of any part of the development above damp proof course levels details identifying non

openable windows to the facades affected by traffic and industrial noise along the western and southern boundaries (Plots 1-14 and 35-40) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with these agreed details and shall be permanently retained.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development