

Item No: 5.5
Application No: 16/00848/FUL Author: Maxine Ingram
Date valid: 20 May 2016 ☎: 0191 643 6322
Target 19 August 2016 Ward: Weetslade
decision date:

Application type: full planning application

**Location: Land At Former East Wideopen Farmhouse, Park View,
Wideopen, NEWCASTLE UPON TYNE,**

**Proposal: Erection of 12 residential dwellings (C3 use class) and
associated access, infrastructure and landscaping**

Applicant: Bellway Homes Ltd. (North East), FAO Mr Mark Gabriele Bellway
House, Kings Park Kingsway North Team Valley Gateshead NE11 0JH

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues in this case are;

- Whether the principle of residential development is acceptable on this site;
- The impact of the proposal upon the character and appearance of the surrounding area;
- The impact upon neighbouring living conditions with particular regard to noise, outlook and privacy;
- The impact on the highway network, parking provision and access;
- Other issues.

1.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application site comprises, the former farmstead, East Wideopen Farm, which has been cleared for development. The farmhouse and associated agricultural buildings were demolished in early 2016.

2.2 The site is bound to the north by a mature hedgerow which forms the boundary of the farm curtilage with Greenfields Community Primary School and fields beyond. To the east of the site is an existing fence line with a field and a mature tree belt forming the boundary with Weetslade Country Park. To the south of the site is an existing Public Right of Way (PROW). To the west are the existing residential dwellings.

2.3 There are several mature trees on site; two are protected. It is noted that the removal of tree T2 has been agreed under planning approval 13/00198/FUL.

2.4 Access to the site is currently gained from the B1318 via a bridleway. The bridleway is Council owned, however the Council are not responsible for its maintenance.

2.5 The site is allocated within the Unitary Development Plan (2002) for residential development. The eastern part of the site is a wildlife corridor.

2.6 Planning permission has been granted for residential development on land to the north and east of the application site and beyond the PROW to the south of the site.

3.0 Description of the proposed development

3.1 The proposed development seeks full planning permission for a residential development of 12 dwellings with associated access, landscaping, parking and access arrangements. The dwellings will be two storeys comprising of:

- 3no. 4 bedroom houses;
- 7no. 4/5 bedroom houses; and
- 2no. 5 bedroom houses.

Vehicular access will be achieved off an adoptable road which will serve the wider development site. Members are advised that this access forms part of an existing planning consent. The five dwellings along the southern boundary will be accessed off along a shared private drive and the seven dwellings to the rear of these will be accessed off the adoptable road.

The development provides off street car parking spaces in the form of integral and detached garages with associated driveways. Four visitor car parking spaces are to be provided.

3.2 The following supporting documents have been submitted:

- Design and Access Statement
- Planning Statement
- Drainage Strategy

- Bat Survey
- Phase 1 Habitat Survey
- Protected Species Report
- Tree Survey

4.0 Relevant Planning History

East Wideopen Farmhouse

11/00460/OUT - Outline planning permission for demolition of existing farm outbuildings, extension to rear of retained farmhouse and erection of 9no residential units with detached double garages. (Revised Description and Amended Plans 19.01.2012) – Refused 05.04.2012

12/00807/OUT - Outline planning permission for demolition of existing farm outbuildings, extension to rear of retained farmhouse and erection of 9no residential units with detached double garages including passing places and diversion of bridleway (LB32) (Re-submission) – Permitted 29.01.2013

13/00198/FUL - Development of 107 dwellings with associated access, parking and landscaping (Amended plans received 22.04.13) (Additional information received regarding Trees and Biodiversity 07.05.13) (Addendum Bat Report received 28.05.13) (Amended Landscape Strategy received 24.05.13) – Permitted 10.06.2013

15/01762/DEMGDO - Demolition of East Wideopen farmhouse and outbuildings – Permitted 01.12.2015

16/00592/DEMGDO - Demolition of remaining outbuilding at East Wideopen Farm – Permitted 19.05.2016

Land west of East Wideopen Farmhouse

15/00270/FUL - Variation on condition 1 (approved plans) of planning approval 14/00789/FUL alterations to the design of the garage to increase length, height of eaves and ridge height to facilitate first floor bedroom and associated internal staircase – Permitted 22.04.2015

14/00789/FUL - Proposed 1.5 storey detached 4 bedroom dwelling house – Permitted 15.07.2014

Five Mile Park

09/02537/FUL - Residential development including 279 residential units and a three storey 51 bed sheltered housing scheme, new access, ancillary landscaping and parking, diversion of right of way and new pitch to form an extension to Lockey Park recreation ground – Refused 16.07.2010. Allowed at appeal.

5.0 Development Plan

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

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (March 2012).

6.2 National Planning Policy Guidance (NPPG) (As amended).

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the determination of this application. It requires local planning authorities 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 National Planning policy Framework.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues in this case are;

- Whether the principle of residential development is acceptable on this site, including the loss of employment land;
- The impact of the proposal upon the character and appearance of the surrounding area;
- The impact upon neighbouring living conditions with particular regard to noise, outlook and privacy;
- The impact on the highway network, parking provision and access;
- Other issues.

7.2 Consultation responses and representation received as a result of the publicity given to this application are set out in the appendix to this report.

8.0 Principle

The National Planning Policy Framework (NPPF) states that at the heart of the Framework is a presumption in favour of sustainable development.

8.1 Paragraph 14 of NPPF sets out that where the development plan is absent, silent or out of date, the presumption is that planning permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the Framework indicate that development should be restricted.

8.2 NPPF confirms that local authorities should attach significant weight to the benefits of economic and housing growth to enable the delivery of sustainable developments.

8.3 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 five year supply of housing, plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery, the buffer should be increased to 20%.

8.4 The site was formerly occupied by East Wideopen Farm and has since been cleared for development. The site is previously developed land. NPPF states that one of the 12 core planning policies is to encourage the effective use of land that has been previously developed, provided it is not of high environmental value.

8.5 UDP policy H5 states that proposals for housing on sites not identified for this purpose will only be approved where amongst other matters, the proposal is on a previously developed site and within the urban area.

8.6 Policy H5 is not entirely consistent with NPPF, which has no such pre-requisite for new housing to be within the existing urban area providing it is sustainable. Given policy H5 is not entirely consistent with NPPF, Members should attach less weight to the policy.

8.7 The site forms part of a wider allocation for new housing development at Wideopen under saved Policy H3. The current application is in accordance with this existing allocation. Members are advised that planning permission has also been granted for housing on this wider designated site to the north, east and south of the application site.

8.8 The site is also identified within the North Tyneside Council Local Plan Pre Submission Draft (November 2015) as an area for development and identified as forming part of a site with existing planning permission for residential development.

8.9 Members must determine whether or not the principle of residential development on this site is acceptable. Officer advice is that the principle of residential development on the site is acceptable subject to any harm arising from the development in terms of layout and impact on amenity which will be

assessed in the latter parts of this report. This proposal for new housing accords with the Government's objectives, as set out in the NPPF, and should be considered on the basis of the presumption in favour of sustainable development.

9.0 North Tyneside 5-Year Housing Land Supply

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

9.2 Through the North Tyneside Local Plan Pre-Submission Draft 2015, the Council has outlined a 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.

9.3 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 (a total which includes delivery from sites yet to gain planning permission). This represents a shortfall of 1,929 homes against the Local Plan requirement (or a 3.40 year supply of housing land).

9.4 Paragraph 49 of the NPPF sets out that relevant development plan policies for the supply of housing will not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites. Therefore, North Tyneside Council remains dependent upon approval of further planning permissions to achieve, and subsequently maintain, its housing supply.

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

10.0 Character and appearance

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

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

10.3 UDP Policy E14 seeks to protect and conserve existing trees and landscape features within the urban environment and encourages new planting in association with development.

10.4 UDP Policy H12 states that housing development will be expected to make the most efficient use of land, usually having a net density of between 30 and 50 dwellings per hectare. However, this policy was a reflection of the previous national planning policy Planning Policy Guidance and therefore cannot be given any weight.

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

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

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

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

10.9 The design comments received are set out in the Appendix to this report. The applicant has re-orientated the property sited on Plot 513 to face onto the internal access road so that the farm style houses are contained in one area. This prevents this unit becoming part of a different street scene with little connection in terms of design style. Members are advised that this particularly house type has been approved under planning application 13/00198/FUL. Therefore, this part of the development would integrate with the street scene approved to the east of the application site.

10.10 All the dwellings will be two storeys with some dwellings offering a single storey rear projection. The dwellings sited along the southern boundary are sympathetic in scale to the existing dwellings to the west of the site. The properties sited along the southern boundary have a direct aspect over the existing PROW. These dwellings provide a strong building line, natural surveillance and an interesting street scene that sits well with the residential properties proposed beyond the PROW.

10.11 The applicant has adopted a traditional farmhouse aesthetic for the dwelling style. The applicant has adopted this design approach to reflect the former use of the site, including the design, proportion and materiality of the former farm buildings. The units that form the public face of the development, namely Plots 508-512; will be constructed extensively in stone. The dwellings internal to the site will be a combination of brick facades with stone detailing. The use of curved window openings to the ground floor of the proposed development is based around a byre opening found commonly on agricultural buildings.

10.12 The boundary treatment along the southern boundary of the site, adjacent to the PROW, will be a 0.75m high estate rail. This type of boundary treatment will maintain the openness for the users of the PROW and the proposed units sited along this boundary will increase natural surveillance. A stone wall is proposed to the east boundaries of Plots 512, 513 and 519.

10.13 The proposed layout will not impact on the existing PROW network or affect any recreation corridors.

10.14 The proposed development represents a density of 16.66 dwellings per hectare across the site. This is low density and is considered acceptable in this location, adding to the range and choice of housing that surrounds it.

10.15 A Tree Survey has been submitted. The Council's Landscape Architect has been consulted. He has advised that the existing trees and their layout are fairly typical of tree groups that have grown either as self-seeded, planted as hedgerow and/or solitary trees in and around the working areas of farmyard sites. They range from mature, reasonably well formed tree specimens, to sporadic examples of varying lineage, which have outgrown and survived the original hedgerow planting and conditions.

10.16 The protected tree (T1) sited in the north west corner of the site will be retained. Three trees will be removed as a result of this development. The submitted Tree Survey identifies these trees as Categorized as C and U. This submitted survey identifies that tree mitigation measures are proposed to protect and safeguard the existing trees during construction. It is proposed as part of the

development to effectively mitigate the loss of trees within the site through compensation measures. The tree survey advises that the development would result in the planting of new native trees which would increase diversity and maintain existing screening of the proposal from key visual receptors. These mitigation measures would contribute to the landscape setting and visual amenity of the site and surrounding area. It is considered that with appropriate mitigation measures in place, the removal of trees to accommodate the development would not adversely affect the appearance of the landscape setting or visual amenity of the surrounding area.

10.17 The Landscape Architects concerns regarding the rigidity of the internal design layout in terms of opportunities for soft landscaping area noted. However, he has advised that there are planting opportunities along the perimeter margins of the site. It is recommended that a condition is imposed to secure a detailed landscaping plan.

10.18 Members need to determine whether the proposal is in keeping with the character of the area. It is officer advice that the impact on the character of the area is acceptable and accords with guidance in NPPF and policies E14, H11, H12 and LDD11.

11.0 Impact upon amenity – for new residents

11.1 UDP Policy H11 requires that proposals for housing development take into account the impact of the proposal on its site, local amenity; the environment and adjoining land uses. It also seeks to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development including through the use of conditions.

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

11.3 East Wideopen Cottage is located approximately 30m to the west of Plot 508. Members are advised that a new residential dwelling, approved under 15/00270/FUL, has been constructed between these existing dwellings and the application site. This new property would be sited approximately 16m to the west of Plot 508. It is noted that there are windows sited in the west elevation of the unit to be sited on Plot 508. The ground floor windows sited in the single storey

rear projection are narrow. Two ground floor windows and three small first floor windows are sited in the main part of the dwelling. Views from the ground floor windows of this proposed unit, into the recently constructed dwelling to the west of the site, would be restricted by the boundary treatment sited along the eastern boundary of this new dwelling. This boundary treatment is to be a 2m high close boarded timber fence. The first floor windows sited in the west elevation of the proposed unit are narrow and are not considered to result in a significant degree of overlooking that would adversely affect the future occupants of this new dwelling. On balance, this separation distance is acceptable.

11.4 The privacy distances that would exist between the proposed dwellings and the dwellings approved to the north, east and south of the application site comply with DCPS No. 14.

11.5 The internal privacy distances in the site are below standard in some cases, Plots 513 and 519 and Plots 514 and 518. There is a shortfall of approximately 4m. However, as this is an infill site a reduced standard is considered acceptable. This is recognised in DCPS No. 14 and these distances are considered acceptable in this instance. The privacy distances between the remaining units comply with DCPS No. 14.

11.6 The Manager for Environmental Health has been consulted. She has recommended conditional approval.

11.7 Members need to consider whether the proposal would provide an acceptable residential living environment for future occupiers. It is officer advice that the development would provide an acceptable standard of living and the development would not adversely impact on the amenity of future occupants of the approved surrounding residential dwellings or existing dwellings.

12.0 Car parking and Access

12.1 Paragraph 32 of NPPF states that development should only be prevented or refused on transport grounds where the residential impacts of development are severe.

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

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

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

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

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

12.7 The application site is located within close proximity to existing local services, including Greenfields Community Primary School, Weetslade Country Park, Lockey Park, local convenience stores and other local services sited on Great North Road. The site is also in close proximity to the A1 and local bus services.

12.8 The site will be accessed from the existing housing developments at Wideopen. Parking provision has been provided in accordance with the Council's maximum parking standards set out in LDD12.

12.9 The Highways Network Manager has been consulted. He has advised that the highway layout meets current standards in terms of turning areas, pedestrian access and general layout. On this basis, he has recommended conditional approval.

12.10 Members need to determine whether the proposal will have a severe impact on the transport network. It is officer advice that the development would not have a severe impact on highway safety or the local road network.

13.0 Other Issues

13.1 Contamination

13.2 NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on the health, natural environment or general amenity and the potential sensitivity of the area or proposed development to adverse effects of pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

13.3 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 monitoring of pollution to reduce it to the lowest practical levels.

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

13.5 Members need to determine whether the proposal would accord with NPPF and policy E3 of the UDP and weight this in their decision. Subject to conditions, it is officer advice that the proposal would accord with the advice in NPPF and UDP Policy E3.

13.6 Flooding

13.7 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.

13.8 The applicant has submitted a Drainage Statement. The applicant has advised that it is proposed to connect the surface water drainage via a piped system into the existing drainage infrastructure within the East Wideopen Farm and Five Mile Park developments. The drainage infrastructure includes an existing Sustainable Urban Drainage (SUDs) pond and swales connecting to the Sacred Heart Fen, which eventually feeds into the watercourse that passes below the waggonway and joins the Seaton Burn.

13.9 The Local Lead Flood Authority has been consulted. They have advised that the principle of the proposed development is acceptable subject to a detailed surface water management plan conditional approval is recommended.

13.10 Northumbrian Water has been consulted. They have recommended conditional approval.

13.11 Members need to consider whether in terms of flooding, the proposal would accord with NPPF and weight this in their decision. It is officer advice that subject to conditions the proposal would not have an adverse impact in terms of flooding and would accord with the advice in NPPF in terms of flood risk.

13.12 Biodiversity

13.13 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment as part of this helping to improve biodiversity amongst other matters.

13.14 Paragraph 109 of NPPF states that the planning system should contribute to and enhance the natural and local environment by amongst other matters minimising the impacts on biodiversity and producing net gains to biodiversity

where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.

13.15 Paragraph 118 of NPPF states that when determining a planning application, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided, or as a last resort be compensated for, then planning permission should be refused.

13.16 UDP Policy E12/6 states that development which would adversely affect the contribution to biodiversity of a wildlife corridor identified on the proposals map will not be permitted unless: no alternative site is reasonably available; or appropriate measures of mitigation of, or compensation for, all the adverse effects are secured, where appropriate through planning conditions or obligations. In all cases any adverse effects of development shall be minimised. In additions the positive effect of a proposed development on the contribution to biodiversity of a wildlife corridor will be taken into account in determining planning applications.

13.17 An Extended Phase 1 Habitat Survey Report and a Protected Species Survey have been submitted. These reports were carried out prior to the demolition of the main farm buildings. These reports conclude that the site as a whole has limited ecological value. The habitats within the survey are generally of limited nature conservation interest. The hedgerows and mature trees on site are of local ecological value. These reports set out mitigation measures that include: restricting when site clearance works take place, trees and hedgerows to be retained where possible, landscape scheme to include native species, bird boxes to be erected around the site and log piles to be providing in surrounding habitat.

13.18 A Bat Risk assessment has also been submitted. This identified that a single bat roost in the small stable to the north east of the site. The applicant has advised that during March 2016, the structure collapsed leaving it unsuitable for roosting bats. Surveys in 2015 concluded that the structure was unsuitable for hibernating bats and it is highly unlikely that the bats would have been present at the time of year when the building collapsed. A structural report has been submitted with this application. This report describes the current state of the building and likely cause of collapse. The ecology reports submitted advised that the structure is no longer suitable for roosting bats and a Natural England Licence would not be required for its demolition. The ecology survey identifies a mitigation strategy for the loss of the roost. This mitigation measure includes: erecting a bat box on a mature tree prior to the start of the bat active season bat tubes and street lighting to be places to avoid spill into the boxes.

13.19 The Council's Ecologist has been consulted. She has considered the submitted ecology reports. She has advised that these surveys show that bats have previously used buildings on this site, until recently when the remaining collapsed. Bat foraging was limited to the periphery of the site around mature hedgerows to west and north and mature trees on site. She has advised that nesting birds were found using the buildings, scrub, trees and hedgerows on site, with swallow found nesting in some of the buildings. Mature trees will be lost as a result of the development.

13.20 She has advised that without appropriate mitigation, the proposed development will result in the loss of habitat for birds and bats. It is recommended in the ecological reports that the mature hedgerows to the west and north are retained, native landscaping is to be provided to mitigate for the loss of the trees and provided feeding habitat for bats and a range of bat and bird features are incorporated into the site to provided roosting features for these species.

13.21 Subject to conditions to achieve the above mitigation, the Council's Ecologist has raised no objections to the development.

13.22 NPPF advises that that the planning system should contribute to and enhance the natural and local environment. Subject to the imposition of conditions to secure the required ecology mitigation the Council's Ecologist is satisfied with the development. Members are advised that the proposed development would not result in significant harm to biodiversity and that suitable mitigation is proposed to limit the impact.

13.23 Archaeology

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

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

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

13.27 The Tyne and Wear Archaeology Officer has been consulted. She has recommended conditional approval.

13.28 It is officer advice that this proposal subject to conditions would accord with NPPF and policy E19/6 of the UDP.

14.0 S106 Contributions

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

14.2 Regulation 122 of the Community Infrastructure Levy (CIL Regulations, makes it unlawful for a planning obligation to be taken into account in determining a planning application, if it does not meet the three tests set out in Regulation 122. This states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is;
Necessary to make the development acceptable in planning terms;
Directly relates to the development; and
Fairly and reasonably relates in scale and kind to the development.

14.3 The Council's adopted SPD on Planning Obligations LDD8 states that planning obligations are considered an appropriate tool to ensure that the environment is safeguarded and that the necessary infrastructure and facilities are provided to mitigate impacts, ensure enhancement and achieve a high quality where people choose to live, work and play.

14.4 The SPD also states that the Council is concerned that planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon economic viability of development and sets out the appropriate procedure to address this. However, the SPD states that the Council will take a robust stance in relation to this requirement for new development to mitigate its impact on the physical, social, economic and green infrastructure of North Tyneside.

14.5 Officers have carried out the current Section 106 Contribution exercise with the identified service providers. Following this consultation exercise only one S106 Contribution has been recommended. This is set out below:

-£2,748 (50% of suggested contribution) for access and infrastructure improvements to Lockey Park, in relation to this development.

14.6 This request was forwarded to the applicant for consideration. The applicant has advised they have considered the requested contribution to Lockey Park in light of the wider schemes that surround the application site, East Wideopen Farm (surrounding land) and Five Mile Park. To date the following contributions have been made towards Lockey Park:

Five Mile Park

- £210,000 - future maintenance of Sports Facilities at Lockey Park
- £42,190 – future maintenance of the SEAP at Lockey Park
- Provision of a new playing pitch within the development and adjacent to Lockey Park

East Wideopen Farm (surrounding land)

- £72,653 – improvements to Children’s equipped play area at Lockey Park
- £49,006 – improvements to Neighbourhood Parks in the vicinity of the site (Lockey Park)

14.7 The applicant does not accept that this requested contribution would be necessary to make the development acceptable in planning terms given the relatively small amount which is being requested and the significant contributions that have already been secured towards this facility. The applicant considers that Lockey Park would continue to be operational and in fair working order with or without the requested amount.

14.8 Officers have taking into consideration the applicant’s comments and the existing contributions that have been secured towards Lockey Park. When assessed against the CIL Regulations it is the view of officers that this request is not necessary to make the development acceptable in planning terms. Therefore, this request does not meet the requirements of the CIL tests and will not be sought.

15.0 Financial Benefits

15.1 The proposal involves the creation of 12 dwellings. The Government pays New Homes Bonus to local authorities to assist them with costs associated with housing growth and payments were first received in the financial year 2011/12. The payments are based on the net addition to the number of dwellings delivered each year, with additional payments made to encourage bringing empty homes back into use, and the provision of affordable homes. Granting consent for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive.

15.2 As the system currently stands, for North Tyneside, for the new increase in dwellings built in 2016/17, the Council will receive funding for the six years from

2018/19. It should be noted, however, that the Government are currently reviewing the operation of the New Homes Bonus Scheme, including reducing the numbers of years for which payments are made. This was outlined in the Government Consultation paper “New Homes Bonus: sharpening the incentive: technical consultation”, which they issued in December 2015. This Consultation closed on 10 March 2016, and the Government are yet to report their findings.

15.3 In addition, the units will bring in revenue as a result of Council tax.

15.4 Members should give appropriate weight amongst all other material considerations, to the benefit accrued to the Council as a result of the monies received from central government.

16.0 Conclusions

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

16.2 Given the Council does not have a 5 year supply of deliverable housing sites, the presumption in favour of sustainable development is therefore engaged. It follows that planning permission should be granted unless the impacts of development would significantly and demonstrably outweigh the benefits.

16.3 Members need to weigh the benefits of the proposal against the impacts and determine whether or not to grant planning permission. It is the opinion of officers that the development would accord with relevant national and local planning policy and would therefore be acceptable. It is recommended that planning permission should be granted.

15.7 In conclusion subject to the Council’s Ecologist being satisfied, and the imposition of appropriate conditions that the proposed development would be acceptable and would accord with relevant national and local planning policy and would therefore be acceptable.

RECOMMENDATION: Application Permitted

Conditions/Reasons

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

- Application form
- Site Location Plan (1:1250) Dwg No. SD-00.01
- Existing site plan Dwg No. SD-00.10
- Demolition plan Dwg No. SD-00.02
- Proposed site plan Dwg No. SD-10.03
- Boundary treatment plan Dwg No. SD-10.05
- Surface treatment plan Dwg No. SD-10.06

House Types

- Type 8 floor plans Dwg No. 13-03-0801
- Type 8 elevations Dwg No.13-08-0802
- Type 14 floor plans Dwg No. 13-03-1401
- Type 14 elevations Dwg No. 13-03-1402
- Type 15 floor plans Dwg No. 13-03-1501
- Type 15 elevations Dwg No. 13-03-1502
- Type 16 floor plans Dwg No. 13-03-1601
- Type 16 elevations Dwg No.13-03-1602
- Type 17 floor plans Dwg No. 13-03-1701
- Type 17 elevations Dwg No. 13-03-1702

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

- | | | | |
|----|---|-------|---|
| 2. | Standard Time Limit 3 Years FUL | MAN02 | * |
| 3. | Restrict Hours No Construction Sun BH | HOU04 | * |
| 4. | Restrict Hours No Demolition Sun BH | HOU05 | * |
| 5. | Gas Investigate no Development | GAS06 | * |
| 6. | Contaminated Land Investigation Housing | CON01 | * |

7. Notwithstanding Condition 1, no groundworks or development, excluding demolition, shall commence until a programme of archaeological excavation has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

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

*0.6

*H11

13. Turning Areas Before Occ ACC25 *refuse
*H11

14. Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course details of traffic calming measures to 20mph shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over the provision of traffic calming to secure a satisfactory standard of development and in the interests of highway and pedestrian safety having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

15. Surface Water Drainage No Occ DRN02 *H11

16. Notwithstanding Condition 1, the development shall not begin until details of a surface water management plan has been submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with these approved details.

Reason: This information is required from the outset to ensure the development does not increase flood risk elsewhere in accordance with NPPF.

17. Construction Method Statement SIT05 *H11

18. Notwithstanding Condition 1, prior to the occupation of any dwelling details of facilities to be provided for the storage of refuse bins within the site and a scheme to manage refuse collection, including identifying a suitable storage area for collection day only, shall be submitted to and approved in writing by the Local Planning Authority. The facilities which shall include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

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

19. Notwithstanding Condition 1, prior to the occupation of the first dwelling a scheme for the provision of secure undercover cycle storage for residential use shall be submitted to and approved by in writing the Local Planning Authority.

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

Reason: To comply with the Council's policy on cycle storage regarding residential dwellings.

20. Veh Parking Garaging before Occ PAR04 *H11

21. Notwithstanding the details to be submitted pursuant to condition 1, prior to the construction of any part of the development hereby approved above damp proof course a schedule and/or samples materials and finishes for the development and all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

22. Levels Details Exist Prop Before Devel LEV01 *H11

23. Notwithstanding condition 1, prior to the construction of any dwelling above damp proof course 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: the retention of mature hedgerows to the west and north of the site, native planting of value to foraging bats and native tree planting to mitigate for loss of trees on site. 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.

24. Notwithstanding condition 1, prior to the commencement of development a Tree Protection Plan 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.

Reason: This information is required from the outset 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.

25. All street lighting associated with the development should be fully cut off so as not to direct lighting up into the atmosphere with the potential to distract pilots flying aircraft overhead.

In the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

26. Prior to the operation of cranes on site, a Method Statement for Crane Operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport. Thereafter, the development shall be carried out in accordance with these agreed details.

Reason: This information is required from the outset in the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B and H of Part 14 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality having regard to policy H11 of the North Tyneside Unitary Development Plan 2002 and aerodrome safeguarding having regard to NPPF.

28. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority 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.

29. 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.

30. Notwithstanding Condition 1, a single schwegler 1FF bat box will be placed on the western aspect of the tree marked T1 on drawing number SD-10.03 at a height of 3-5m prior to the start of the bat active season and shall be permanently retained.

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

31. Notwithstanding Condition 1, two schegler 1FR bat tubes will be placed within walls at the tops of gables as shown on drawing number SD-10.03 during construction works and shall be permanently retained.

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

32. Building demolition shall only be undertaken to a working method statement to ensure there will be no impacts on bats.

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

33. Notwithstanding Condition 1, six bird nest boxes shall be provided within the site. The details of the design and location of the nest boxes and a timetable for their installation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these nest boxes shall be installed in accordance with these agreed details and shall be permanently retained.

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

34. Lighting within the site shall be designed to avoid light spill onto hedgerows and bat box mitigation locations. It should follow the advice detailed in the Professional Lighting Guide (PLG 04) published by the Institute of Lighting Engineers.

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

35. Three trees have potential for bat roosts (T1, T5 and T6) and any tree removal, management or pruning works should be undertaken in accordance with the Method Statement set out in Appendix 5 of the Tree Survey Report.

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

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

Do Not Obstruct Highway Build Materials (I13)

Advice All Works Within Applicants Land (I29)

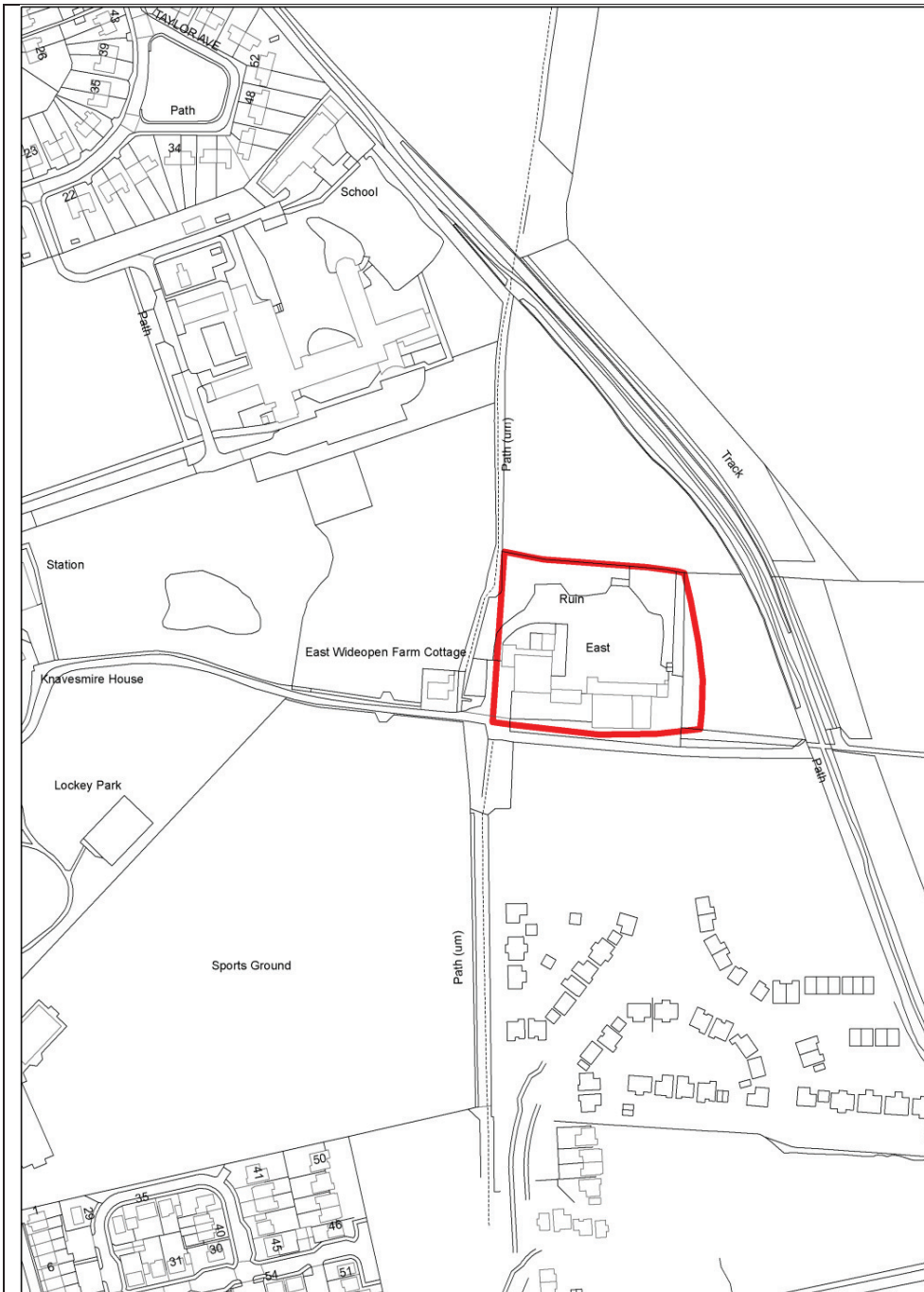
Coal Mining Standing Advice (FUL,OUT) (I44)

Highway Inspection before dvlpt (I46)

Permeable surfacing (I42)

Newcastle International Airport has advised that the applicant should make future occupants aware of the proximity of the application site to the airport in their sales particulars. The development hereby approved lies within close proximity Newcastle International Airport. The airport operates unrestricted, flying 365 days per year, 24 hours per day. The site is also a co-opted military airfield and therefore unrestrictedly accepts military aircraft.

NWL has informed the LPA that a water main runs along the site boundary and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.



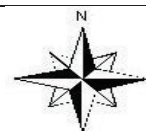
Application reference: 16/00848/FUL

Location: Land At Former East Wideopen Farmhouse, Park View, Wideopen
Proposal: Erection of 12 residential dwellings (C3 use class) and associated access, infrastructure and landscaping

Not to scale

Date: 21.07.2016

© Crown Copyright and database right
 2011. Ordnance Survey Licence Number
 0100016801



Appendix 1 – 16/00848/FUL

Item 5

Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 This application is for the erection of 12 residential dwellings (C3 use class) and associated access, infrastructure and landscaping.

1.3 The site is accessed from the existing development site at Wideopen. Parking has been provided in accordance with the standards set out in LDD12 and the highway layout meets current standards in terms of turning areas, pedestrian access and general layout.

1.4 For the above reasons outlined above, conditional approval is recommended subject to conditions.

1.5 Recommendation - Conditional Approval

1.6 Conditions:

ACC02 - House Est: Details, Adopt Roads, No Occ

ACC11 - New Access: Access prior to Occ

ACC20 - Visibility Splay: Detail, Before Devel (2.4m by 43m by 0.6m)

ACC25 - Turning Areas: Before Occ

ACC27 - Traffic calming measures to 20mph

DRN02 - Housing Est: Details, Road Drainage, No Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT05 - Construction Management

No development shall commence until a scheme for the provision of secure undercover cycle parking 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 highway safety.

No development shall commence until a detailed scheme for surface water management has been submitted to and approved by in writing the Local Planning Authority.

Reason: In the interests of surface water management.

Informatives:

I45 - Street Naming and Numbering

1.7 Local Lead Flood Authority (LLFA)

1.8 This application is for the erection of 12 residential dwellings (C3 use class) and associated access, infrastructure and landscaping.

1.9 A drainage strategy was submitted as part of the application and it is proposed drainage to link in with the drainage previously agreed as part of the original site.

1.10 For the above reasons outlined above, conditional approval is recommended subject to condition.

1.11 Recommendation - Conditional Approval

1.12 Condition:

No development shall commence until a detailed scheme for surface water management has been submitted to and approved by in writing the Local Planning Authority.

Reason: In the interests of surface water management.

1.13 Design Officer

1.14 The proposal is on the site of the former East Wideopen Farm. The design has taken inspiration from the former use of the site and references the farm buildings with some architectural features, detailing and materials.

1.15 A better design could have reflected the footprint of the previous farm buildings and had a layout, in part, around a courtyard. Instead the houses are all detached units which results in the sense of a cluster of agricultural buildings being lost.

1.16 The houses are arranged around a standard highway layout. A more sympathetic highway layout should be designed that avoids an adopted 'black top' highway within the site and instead have a larger shared surface area in more complimentary 'tegular blocks'.

1.17 Units 513 should be re-orientated to face onto the internal access road so that the farm style houses are contained in one area, rather than this unit becoming part of a different street scene with little connection in terms of design style. The stone wall should accordingly be extended along the east boundary. Is there an opportunity to use reclaimed stone from the former farm buildings for the wall?

1.18 Landscape details should be submitted to further strengthen the historic boundaries of the farm and strengthen existing landscape features using native species.

1.19 The garages should feature coping stones to the roof to match the houses.

1.20 Materials should be conditioned to include natural stone, natural slate and timber windows.

1.21 Contaminated Land Officer

1.22 The former use of the site may have led to potential contamination. Due to the proposed sensitive end use the following should be applied:

GAS 06:

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.

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

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

Reason: 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.

1.23 Landscape Architect

1.24 (T1) East Wideopen Farm Tree Preservation Order (2012)

1.25 The East Wideopen Farm site is located to the east of the existing settlement of Wideopen and consists of farm buildings and an associated landscape and trees generally located along the bordering curtilage of the land. This includes a mature Oak (*Quercus* species) which has TPO status (see above). The overall site also includes an associated area of agricultural land positioned to the east. The site is well connected to the road network with links to

the A1, which is 1.5km to the southeast and accessed via the A1056. The site is also in close proximity to the A19, which lies just over 2km to the north. The brownfield site extends to approximately 0.79 hectares, with the wider topography of the area generally gently undulating in nature. In the wider context the former Weetslade Colliery closely borders the proposed development area to the east and has been transformed into community green space (Weetslade Country Park) with a new network of footpaths and cycle ways and associated car parking.

1.26 Planning Context

1.27 As detailed in the previous section the area contains (T1) East Wideopen Farm Tree Preservation Order (2012). There is also local planning policy of relevance to the site in relation to trees and the landscape and in respect of the proposed development. This policy is defined within the North Tyneside Unitary Development Plan (UDP), adopted March 2002, although the Local Development Framework (LDF) will supersede this. The relevant UDP policy is summarised as follows:

1.28 Policy E14: Trees and landscaping in urban areas. The local planning authority will seek to protect and conserve existing trees and landscape features within the urban environment and will encourage new planting in association with development and whenever possible in other suitable locations.

1.29 The existing trees and their layout on site are fairly typical of tree groups that have grown either as self-seeded, planted as hedgerow and/or solitary trees in and around the working areas of farmyard sites. They range from mature, reasonably well formed tree specimens, to sporadic examples of varying lineage, which have outgrown and survived the original hedgerow planting and conditions.

1.30 The existing trees recorded in the submitted Tree Survey Report (April 2016) follow this pattern and subsequently there are few worthy of retaining in terms of their species, size and integration within the context of the proposed built form of the housing development footprint. The rigidity of the internal design layout leaves few opportunities for soft landscape other than garden spaces. There are planting opportunities however existing along the perimeter margins of the site for tree planting and further hedgerow establishment, which should extend and support the provenance and connectivity of the local pattern and planting structure of the area.

1.31 To this end there is valid guidance to be utilised from within the context of the submitted East Wideopen Planning Statement (Sections 5.43 and 5.44) and the North Tyneside Council, Emerging Policy DM5.9 (Trees, Woodland and Hedgerows) which *'supports the protection and management of existing woodland, trees, hedgerows and landscape features. It seeks to secure new tree*

planting and landscaping schemes for new development and, where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance'.

In relation to the proposed residential units a detailed Landscape Scheme should also be submitted, with reference to the layout of the general external areas including associated garden areas (hard and soft) and then perimeter areas bordering the scheme. This should take into account the prevailing landscape flavour and species of the immediate and wider area, including type and sizes, as well as the connectivity of the planting design as detailed above.

1.32 Advisory Note - Hard Landscape (Paving)

1.33 On the submitted Proposed Site Plan, several large areas are proposed for the use of Tegular block paving. The use of permeable block systems should be considered in this instance to increase the sustainability of the local drainage layout and mitigate localised run-off.

1.34 Protection of the existing trees and any trees growing close to the boundary of the proposed development area will be required during the construction works in accordance with best practice and to BS5837: 2012, 'Trees in Relation to Design, Demolition and Construction - Recommendations'. Appropriate protective barriers, any other relevant physical protection measures including ground protection and construction exclusion zones to protect the root protection areas, will be provided to avoid physical damage to trees and root plates during construction and existing boundary trees and shrubs.

1.35 Manager for Environmental Health

1.36 I have no objection in principle to this application. I note that there is a primary school located approximately 100m north of the site, however, the majority of the play yard areas are screened by the school buildings which should provide some mitigation from noise of children playing. The B1318 road is some 290 metres west of the proposed site and therefore noise from the road should not be an issue. I would therefore recommend the following if planning permission is to be given to address hours of construction and dusts arising from the site during the demolition and construction phases.

HOU04

HOU05

SIT03

1.37 Ecology Officer

1.38 Ecological surveys for the above site show that bats have previously been using buildings on site, until recently when Building 11 collapsed. Bat foraging was limited to the periphery of the site around mature hedgerows to the west and north and mature trees on site. Nesting birds were found using the buildings,

scrub, trees and hedgerows on site, with swallow nesting in some of the buildings. Four mature trees will be lost as a result of the development.

Without appropriate mitigation, the above scheme will result in the loss of habitat for birds and bats. It is recommended in the ecological reports that mature hedgerows to the west and north are therefore retained, native landscaping is provided to mitigate the loss of mature trees and provide feeding habitat for bats and a range of bat and bird features are incorporated into the site to provide roosting features for these species.

The following conditions should therefore be attached to this application:-

- A single schwegler 1FF bat box will be placed on the western aspect of the tree marked T1 on drawing number SD-10.03 at a height of 3-5m prior to the start of the bat active season.

- Two schegler 1FR bat tubes will be placed within walls at the tops of gables as shown on drawing number SD-10.03 during construction works

- Building demolition should be undertaken to a working method statement to ensure there will be no impacts on bats.

- 6 bird nest boxes will be erected within the site to provide nesting opportunities for a range of birds, particularly swallow. Details of the design and location of the nest boxes to be submitted to the Local Authority for approval prior to development commencing

- Lighting within the site should be designed to avoid light spill onto hedgerows and bat box mitigation locations. It should follow the advice detailed in the Professional Lighting Guide (PLG 04) published by the Institute of Lighting Engineers.

- A detailed landscape plan should be submitted to the Local Authority for approval prior to development commencing. The plan should show the retention of mature hedgerows to the west and north of the site, native planting of value to foraging bats and native tree planting to mitigate for loss of trees on site.

- Suitable tree protection measures will be required during construction works in accordance with best practice and to BS5837:2112, 'Trees in Relation to Design, Demolition and Construction'.

- Three trees have potential for bat roosts (T1, T5 and T6) and any tree removal, management or pruning works should be undertaken in accordance with the Method Statement set out in Appendix 5 of the Tree Survey Report.

- Vegetation removal should not take place in the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds prior to development commencing.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 Newcastle International Airport (NIA)

3.2 The proposal has been assessed by the aerodrome safeguarding team and I have the following comment to make.

3.3 Physical development

3.4 The proposed physical development to the site would not result in any obstacle to overflying aircraft, or interference with navigational aids. Cranes should be subject to a management plan to ensure that they do not become an obstacle to overflying aircraft. This should be conditioned as part of any positive planning permission. A suggested condition is as follows;

Prior to the commencement of development, a Method Statement for Crane Operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport.

Reason: In the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

3.5 Noise

3.6 It is not considered that the proposed residential properties would be subject to undue levels of noise as result of NIA's activity, however as the site is located within close proximity to known aircraft flight paths, the following informative should therefore be added to future planning permissions and future residents should be made aware of the proximity to the airport in the development sales particulars.

The development hereby approved lies within close proximity Newcastle International Airport. The airport operates unrestricted, flying 365 days per year, 24 hours per day. The site is also a co-opted military airfield and therefore unrestrictedly accepts military aircraft.

3.7 Lighting

3.8 All street lighting associated with the development should be fully cut off so as not to direct lighting up into the atmosphere with the potential to distract pilots flying aircraft overhead. This should be conditioned as part of the planning permission.

3.9 Renewable energy sources

3.10 NIA would require information relating to any photovoltaic cells or micro wind turbines proposed for the development. It is not clear that this is proposed as part of the planning application.

3.11 Northumbrian Water

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

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

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

3.15 Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority 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.

3.16 For information only

3.17 We can inform you that a water main runs along the site boundary and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

3.18 Tyne and Wear Archaeology Officer

3.19 I was very disappointed that the farmhouse was demolished, as the previous outline permission in 2012 retained it. The original brick farmhouse was 18th century in date, and extended in stone and brick by 1897.

3.20 However the farmhouse and farmstead was archaeologically recorded before demolition (Northern Archaeological Associates, May 2016). This excellent report should have been submitted with the application.

3.21 For the previous outline application (12/00807/OUT) I recommended an archaeological watching brief in order to record any buried remains of early

phases of farm buildings. This was the recommendation of the 2011 Heritage Statement.

3.22 However recent (winter 2015 and spring 2016) archaeological excavations in the field immediately south of the farm (13/001/98/FUL) have found that an extensive prehistoric field system survives, along with prehistoric ring gullies. Iron Age or Romano British pottery was recovered from the fill of the ditches of the ring gullies. A Roman Samian bowl has also been found. One of the enclosure ditches contained cremated human bone. These features are no doubt associated with the enclosed prehistoric settlement, which was archaeologically excavated in 2009/10 on the very first phase of Five Mile Park. There is a second enclosure in the sports ground south-west of the farm site.

3.23 It is very likely that these prehistoric features continue into the former farm site. A watching brief is not adequate mitigation for prehistoric features.

3.24 I therefore instead recommend a strip and record archaeological excavation, to be carried out before development commences, in order that any archaeological features can be fully recorded and excavated. The benefit of this to the developer is that as soon as the archaeologists have finished on site, the developers can commence, with no delays to their construction programme.

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

Archaeological Excavation and Recording Condition

No groundworks or development shall commence until a programme of archaeological excavation has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.
Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

Archaeological Post Excavation Report Condition

The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of 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, in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

Archaeological Publication Report Condition

The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6