

Item No: 5.1
Application No: 16/00194/FUL Author: Jane Tuck
Date valid: 12 April 2016 ☎: 0191 643 6331
Target 12 July 2016 Ward: Howdon
decision date:

Application type: full planning application

Location: Site of Former Customer Service Centre, Churchill Street, Wallsend, Tyne And Wear

Proposal: Erection of single storey and two storey development to provide 5no units, comprising of 3no retail unit (Class A1), 1no unit to provide nursery accommodation (Class D1) and 1no office unit (Class B1) with associated car parking, servicing, access, landscaping and works to TPO trees

Applicant: Resilienti Ltd, C/O Agent

Agent: MDB Planning, FAO Mr Michael Briggs 92 North 4Park Avenue Leeds West Yorkshire LS8 1HP

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

This application was deferred at the last committee to allow further information to be obtained about the proposed use. Any additional information is highlighted in bold.

1.0 Summary of Key Issues and Considerations

1.1 The main issues are

- a) the principle of residential development
- b) design and layout
- c) impact on residential amenity
- d) highway and parking issues

1.2 Members must determine whether the principle of residential development is acceptable, whether or not the proposal is acceptable in design and layout terms, highway and amenity terms.

2.0 Description of the site

2.1 The application site is located to the south end of Churchill Street, close to the junction of Churchill Street and Tynemouth Road shopping parade in

Howdon. The former Howdon Customer Services Centre building on the site has been demolished. The site measures 0.26 hectares.

2.2 Immediately to the south of the site is Howdon Library which was rebuilt in 2010. There are local shops opposite the library on Churchill Street. On Tynemouth Road there are more local shops and a post office, cash point, small community centre, a doctor's surgery and allocated parking for the commercial units.

2.3 To the north, east and west of the application site is existing housing stock. To the north and southern boundaries of the site are existing footpaths from Gilsland Avenue. Further to the north is the Rosehill Tavern pub at the junction of Churchill Street and Archer Street.

2.4 Access to the site is via a pedestrian footpath over an open frontage or via one of three driveways off Churchill Street. The three spaces to the southern boundary and serving Howdon Library are to be retained and do not form part of the application site.

2.5 There are three trees to the front of the site which are protected by The Churchill Street Tree Preservation Order 2011.

2.6. The site is not allocated for any purpose within the Unitary Development Plan.

3.0 Description of the proposals

3.1 Planning permission was granted for the erection of a single storey and two storey development comprising 2 retail units and one office with associated car parking, servicing, access, landscaping and works to TPO trees by Planning Committee in March 2015 (15/00069/FUL). The amount of floor space approved was 726 sq m A1 Retail and 90 sqm B1 Offices, a total of 816sqm.

3.2 The current application proposes the same buildings in terms of footprint and design but a total of 5 units comprising three A1 retail units (377sqm, 186sqm and 94sqm, a total of 657 sqm) on the ground floor, one B1 office unit (90sq m) on the first floor and a D1 nursery unit (225sqm) on the first floor with access (73sqm) from the ground floor. 82 child spaces are proposed in the nursery. Total proposed floor space of the development is 1045sqm. Associated car parking, servicing access, landscaping and works to TPO trees are also proposed.

3.3 When the application was first submitted it included two hot food takeaways. These are no longer part of the application.

3.4 The building is proposed to the rear of the site. Car parking for 16 vehicles including 2 disabled spaces and cycle parking are proposed to the front of the building. Existing TPO trees and grassed area are to be retained. Access to the car park includes an access and an egress from and onto Churchill Street. Servicing is proposed to the rear of the site. A 2.4m high acoustic fence is proposed along the rear boundaries.

3.5 The footprint and external form of the proposed building is the same as for the previously approved application with a predominately single storey building with a central two storey section and a pitched roof. The height of the block where the nursery is proposed has been raised by approximately 450mm. Materials proposed include brick, render, slate effect tiles and aluminium metal windows. The shop fronts incorporate full height glazing.

3.6 There are three trees on the site which are protected by a Tree Preservation Order and another two which will be lost. Replacement by one tree is proposed.

3.7 The agent has advised that the nursery operator has indicated that there will be 18 staff based on a ratio of the following:

12 babies (1:3 ratio) = 4 staff

12 toddlers (1:3 ratio) = 4 staff

12 two year olds (1:4 ratio) = 4 staff

20 in the step up room (1:8 ration) = 3 staff

26 in preschool (1:8 ratio) = 3 staff

He has also advised that, with the exception of the nursery manager, staff are anticipated to be recruited from within a 2km walking distance from the nursery. The nursery operator has already started recruitment and for the 8 staff employed so far, all live very local to the site and are expected to arrive on foot.

4.0 Relevant Planning History

NT/538/82 Change of use from Police Station and Houses to offices for NTC Housing Department. Permitted 25.05.1982

84/02067/LAREG3 Change of use of No. 6 Police House, Churchill Street to office. Permitted 03.12.1984

89/00102/LAREG3 Change of use of the 5 police houses to Housing Office for NTC. Permitted 21.02.1989

89/01361/LAREG3 Alterations to existing offices, with new entrance to public area for Housing Services and Social Services. Permitted 17.10.1989

11/01907/FUL Demolition of existing building and redevelopment of site to form seven commercial units (A1 - A4 class use) with associated parking and servicing arrangements. Withdrawn

12/00406/FUL Demolition of existing building and redevelopment of site to form 4 commercial units (Use Class A1), with associated parking and servicing arrangements. (Resubmission). Refused 29.05.2012 and appeal lodged – reference 12/00032/S78TPA – but withdrawn.

12/01309/OUT Outline planning permission for the demolition of the existing building and redevelopment of site to form 3 commercial units (Use Class A1), with associated parking and servicing arrangements. (Landscaping reserved). Approved 25.10.2012

15/00069/FUL Demolition of the former Police Houses and Council housing offices and the erection of single storey and two storey development comprising 2no. retail units (Class A1) with associated car parking, servicing, access, landscaping and works to TPO trees. Approved 17.03.2016

15/00725/AMEND Non-material amendment of planning application
15/00069/FUL: For the removal of condition 32 and variation of conditions 7, 27, 28, 29, 30 and 33. Approved 5.06.2015

5.0 Development Plan

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

6.0 Government Policy

6.1 National Planning Policy Framework (March 2012)

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

PLANNING OFFICERS REPORT

7.0 Planning Considerations

The main issues are

- a) the principle of residential development
- b) design and layout
- c) impact on residential amenity
- d) highway and parking issues

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

7.3 In a letter to Ward Councillors, the applicant advised that the new application was for A1 retail and B1 office as previously approved though for three A1 units rather than two; and that a nursery would be provided at first floor mezzanine level, which under planning law they had permitted development rights to construct so they 'are only really applying for a change of use for the first floor' and not 'applying for planning permission for any additional space that we don't have permitted development rights to construct'

7.4 Officers would advise that as the building has not been built, permitted development rights cannot be implemented or assumed and therefore the proposal before Planning Committee relates to new development for retail, office and nursery units with a fall back position of the previously approved scheme.

8.0 Principle of development

8.1 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Significant weight should be placed on the need to support economic growth through the planning system.

8.2 The NPPF sets out the core planning principles which should underpin decisions and notes that planning should, amongst other matters, proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. In relation to retail development it remains the main thrust of national policy to promote town, district and local centres as the main focus for uses such as retail, leisure, commercial and community uses.

8.3 The NPPF states that local planning authorities, amongst other matters, should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. They should also promote competitive town centres that provide customer choice, and a diverse retail offer and which reflect the individuality of town centres.

8.4 The site does not have any formal allocation within the Unitary Development Plan. However in preparation of the new North Tyneside Local Plan, the Council has updated its Retail and Leisure Study (2014). This Study has recognised Howdon as a Local Centre (as identified in the NPPF) and therefore future provision for main town centre uses such as retail would be supported within Howdon (reflecting NPPF para 23). The emerging Local Plan supports sustainable development in designated centres. Successful centres play a crucial role in sustainable development allowing people to do 'top up shopping' reducing the need to travel, whilst also maintaining and enhancing North Tyneside's prosperity. North Tyneside's centres are the heart of their respective communities and the Council through the emerging Local Plan are seeking to pursue a strategy for their growth and regeneration, and support proposals for main town centre development in centres, such as Howdon.

8.5 The development proposes 726sqm of retail floor space, 90sqm of office space and 298sqm of nursery floor space. The amount of retail and office floor space is the same as previously approved in planning consent 15/00069/FUL. The site is within a few minutes walk of other commercial retail premises on Churchill Street / Tynemouth Road. The development will provide units of varying sizes, offering a space for business, a nursery and provide convenient local shops for top-up shopping. This will reduce the need to travel for shops and provide complementary uses to the existing retail provision within the area. It is understood a nursery operator is interested in the proposed nursery accommodation.

8.6 The heart of the Howdon local centre still appears to be healthy. It is considered the development will provide additional retail investment promoting

competition and customer choice and would complement the vitality and viability of the existing local centre.

8.7 The Manager of Early Years Commissioning has advised that additional daycare nursery capacity in the Howdon Area is welcomed as it will enhance choice and convenience for local families.

8.8 It is officer advice that the Howdon local centre has been demonstrated to be healthy and well used by the local catchment. It is considered that the redevelopment of the site will create a competitive centre by promoting a customer choice and opportunities for linked trips. The redevelopment will bring a vacant brownfield site back into use for the benefit of the area. The principle of retail and office development on this site has previously been agreed.

8.9 Members must consider whether the principle of the development is acceptable. It is officers' advice that it is.

9.0 Design and Layout

9.1 The NPPF states that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

9.2 UDP policy S2 promotes high quality design in the borough's shopping areas.

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

9.4 Development Control Policy Statement No. 29 Day nurseries and other childcare facilities sets out material planning criteria to be taken into account in considering development proposals including the effect on the character of an area; outdoor amenity space; impact on nearby residents in terms of noise and loss of privacy; car parking, dropping off and collection of children; proximity of good public transport facilities and; impact on existing on-street parking

9.5 The Design Quality SPD provides guidance on the design of buildings, places and spaces in North Tyneside. It states that the Council will encourage innovation in the design and layout, provided that the existing quality and character of the immediate and wider environment are respected.

9.6 The overall design of the development is similar to that previously approved in that it has one and two storey elements which reflects existing buildings in the area and proposes a single building with a central two storey section, with single storey wings either side. The middle section of the development is the highest and is proposed at the same height as previously approved. The footprint of the proposed development remains the same as the previously approved scheme and the building is set back from the main road as other properties on the eastern side of Churchill Street are.

9.7 The proposed scheme differs from the approved scheme in that the roof and eaves levels over the nursery element are approximately 450mm higher with a maximum roof height of 8170mm for the most northern element of the building. There are amendments to some of the entrance doors. The northern elevation in the approved scheme adjacent to no 110 Churchill Street, was blank but in the proposed scheme where the nursery is proposed there is a double door, a window at ground level and three windows at first floor plus a service enclosure.

9.8 In terms of design, the development is domestic in appearance to reflect the housing within the vicinity of the site and the appearance of the shops on Tynemouth Road where many have flats above. It maintains a symmetrical appearance which reflected the symmetry of the buildings on the site which have now been demolished. The development has a pitched roof and proposes a simple palette of materials.

9.9 The proposed increase in height by 450mm is not likely to impact on the amenity of the occupiers of the properties in Gilsland Avenue. The three windows in the nursery at first floor overlook the gardens of nos 110 Churchill Street and 56 Gilsland Avenue and it is recommended that it is conditioned that these should be obscure glazed.

9.10 Three of the objection letters received included support for the nursery element of the proposal. Other objection letters raised concerns about the lack of outdoor space and designated drop off and pick up points for the nursery and it being at first floor. Although DCPS 29 states that sufficient outdoor activity space should be provided for nurseries, the applicant has advised that the nursery operator has deemed it unnecessary as there is sufficient internal space available within the building. The nursery operator will have ensure that the nursery provision meets the statutory framework for the early years foundation stage which is regulated by Ofsted. Therefore this requirement will be regulated by Ofsted.

9.11 The eastern side of Churchill Street is characterised by buildings set well back from the main road to allow for incidental amenity green space and tree planting.

The proposed layout shows a scheme set back from Churchill Street to allow for parking to the front and the retention of the existing TPO trees. The other two trees on the site are to be removed and the applicant advises that one tree will be replaced alongside the protected trees. No landscape details have been submitted.

9.12 The Council's Landscape Architect has no objection to the application. She notes that the loss of the trees is unavoidable, but that mitigation has been provided through a replacement being planted.

9.13 It is the advice of officers that the development is acceptable in terms of its impact on the character and appearance of the area. Members must decide whether the proposal complies with the NPPF, UDP policy S2 and E14 as well as LDD11.

10.0 Impact on residential amenity

10.1 NPPF paragraph 123 states 'Planning policies should aim to: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise new development, including through conditions; recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason'.

10.2 Policy E3 of the UDP seeks to minimise the impact of pollution on the environment including existing land uses and on proposed development.

10.3 UDP policy H13 states that applications for non residential development within or adjacent to residential areas will be approved only where the local planning authority considers that that they would not adversely affect residential amenity. Uses that generate excessive noise, smell, fumes, traffic or on street parking problems will not be allowed.

10.4 A number of objections to the proposal were received as well as a petition where the main objection was to the hot food takeaway. This element of the proposed development has been removed. Some objections related to residential amenity and noise nuisance of the proposed development.

10.5 The site shares a boundary with residents on Gilsland Avenue to the east. The proposed building is to be approximately 3m at the narrowest point and 7m at the farthest point from the shared boundary. Two service enclosures for bins and plant are proposed to the rear of the retail units. Delivery lorries and vans will unload goods to the south of unit 3 adjacent to the library and goods will be moved by trolley into the units. The applicant has advised that vehicles will generally not access the rear service area. The applicant has proposed a 2.4m acoustic fence to be installed along this boundary.

10.6 A door into the ground floor area of the nursery is proposed in the northern elevation of the nursery and a service enclosure is proposed. These are at their nearest approximately 11m from no 110 Churchill Street. A close boarded fence is proposed by the applicant along the northern boundary of the site to a public footpath with the boundary fences to the gardens of 110 Churchill Street and 56 Gilsland Avenue. A 2.4m double boarded acoustic fence will be required in this location and should be conditioned.

10.7 The Manager of Environmental Health has advised that the proposal is acceptable subject to conditions imposed on the previous applications. The hours of opening of the office and retail unit will be restricted to 07.00 to 23.00 hours on any day. The Manager of Environmental Health has recommended hours of deliveries to the rear of the premises as 8.00 till 19.00 hours however the hours of deliveries previously granted in planning consent 15/00069/FUL were 08:00 and 23:00 hours on any day and it is recommended that these hours should be re-imposed.

10.8 With regard to the nursery element of the proposed development, the Manager of Environmental Health has advised that additional conditions should be imposed relating to the submission of a noise scheme to consider background noise and the rating level of any plant on the northern elevation of the building adjacent to no 110 Churchill Street and that hours of opening of the nursery should be 08.00 to 21.00 hours Monday to Friday and 08.00 to 17.00 hours on Saturdays with no use on Sundays. The applicant has advised that the opening hours would be 07.30 to 18.00 hours Monday to Friday. The applicant has argued that the nursery will not be open in the evenings and at weekends when there is the greatest demand for parking by residents. Therefore for reasons of impact on amenity of adjacent residents and parking, a condition for hours of opening for the nursery is recommended of 07.30 to 18.00 hours Monday to Friday and not on Saturdays or Sundays.

10.9 It is officer advice that the proposed development is acceptable and would not have an adverse impact on the amenities of existing residents provided conditions as set out above are included. Members must decide if the scheme complies with NPPF and policy H13.

11.0 Highway and parking issues

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

11.2 LDD12 'Transport and Highways' SPD provides guidance on the Council's planning policies relating to transport and highways considerations. The SPD sets out the procedures that North Tyneside Council follows in order to ensure that the transport implications of new developments are rigorously and consistently assessed and appropriate measures secured.

11.3 UDP Policy S11 Retail Facilities states that Local Planning Authorities will take into account the provision made for safe and secure environment within any parking areas; the provision made for access for non car users including pedestrians; cyclists; public transport and taxi users amongst other matters.

11.4 Development Control Policy Statement No. 29 Day nurseries and other childcare facilities is also relevant and development proposals need to consider amongst other things, car parking, dropping off and collection of children; proximity of good public transport facilities and; impact on existing on-street parking.

11.5 Policy T8 seeks to encourage cycling by amongst other matters ensuring cyclist's needs are considered as part of new development and where appropriate require that facilities including parking are provided to satisfy operational requirements and standards.

11.6 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.

11.7 Policy T11 states that car parking requirements will be kept to the minimum commensurate with location, operational needs, the need to encourage alternative forms of transport and the need to protect environmental quality.

11.8 A Transport Statement has been submitted as part of the application which analysed potential traffic flows associated with the site. These flows are not considered to be severe in terms of the NPPF. The site also benefits from good links with public transport and within walking distance of a large catchment of local residents. Cycle parking is also proposed to be included for both visitors and staff.

11.9 The application proposes sixteen car parking spaces including two disabled spaces. The three parking spaces adjacent to the library are not within the application site boundary. The application requires slightly less parking for the retail and office uses than the previously approved application as the retail floor area is less. However the nursery also requires parking and drop of and pick up space.

11.10 The applicant has advised that the proposed nursery will not operate in the evenings after 18.00 hours and not at weekends when there is the greatest demand for parking by residents. The applicant is of the view that the busy nursery start time is likely to be when retail demand is low and that the duration of parking will not be long term for the retail units or the nursery and if there is not enough parking on site there will be spaces on Churchill Street at times when there are available spaces. The applicant considers that many of the users who live within walking distance will come on foot as will nursery staff.

11.11 The applicant has also advised that the operation of the car park will be monitored as part of the Travel Plan and that if there are issues of long stay/ non retail or library customers using the car park then a maximum stay would be considered. A condition relating to a car park management strategy is recommended.

11.12 A number of objections have been received from local residents relating to highway and parking which are set out in appendix 1 to this report. The Highways Network Manager has advised that access to and from Churchill Street and servicing within the site is acceptable and as the site is located in a local centre with good links to public transport and a large catchment area of local residents and that there is also existing parking available on Tynemouth Road and recommends approval, subject to a number of conditions including access, turning of delivery vehicles and parking to be in accordance with the approved drawings, existing access points to be stopped up, refuse, cycle parking, car park management strategy and refuse management strategy and construction management details to be submitted and agreed and the Travel Plan to be implemented and monitored.

11.13 The applicant will also be required to enter into a Section 278 agreement to upgrade the footpaths around the site as well as associated street lighting, drainage, road markings, Traffic Regulation Orders, street furniture and signage.

11.14 It is officer opinion, having regard to the NPPF, that the development in terms of traffic generation will not have a severe impact on the highway network. Taking into account the range of uses, their differing operating hours and the likely short duration for parking, it is officer opinion that on balance the parking provision for the site is acceptable.

11.15 Members must determine whether the proposal is acceptable in terms of the impact of the proposal on the highway network and whether the proposed parking is acceptable.

12.0 Other Matters

12.1 Ground conditions and contamination

12.2 The NPPF states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

12.3 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 the monitoring of pollution to reduce it to the lowest practicable levels.

12.4 The applicant has submitted a Coal Mining Risk Assessment desk top study considering the stability and the coal mining legacy of the site. The report has identified the presence of a former miner shaft located towards to the centre of the site's western boundary.

12.5 The Coal Authority has been consulted and considers that a coal mining legacy potentially poses a risk to the proposed development and that further intrusive site investigation and remedial works should be undertaken prior to development. They raise no objection providing a condition is attached. This is to require the mitigation strategy set out in the Coal Mining Risk Assessment Report to be undertaken prior to commencement of development.

12.6 Furthermore, the Council's Contamination Officer agrees with the advice of the Coal Authority and also recommends a condition relating to ground gas investigation and mitigation, if required and a condition relating to contaminated land.

12.7 It is the advice of Officers that the applicant has demonstrated that the application site is, or can be made, safe and stable for the proposed development in accordance with the NPPF and UDP policy.

12.8 Members need to decide whether the proposal acceptable in terms of the above policies.

13.0 Flood risk and drainage

13.1 The NPPF states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk.

13.2 The site is within flood zone 1 and less than 1 hectare. A flood risk assessment is therefore not required.

13.3 Northumbria Water has been consulted and have insufficient detail regarding the management of foul and surface water from the development to reach a full determination. They have recommended that a condition should be attached that requires further information to be submitted before development takes place. The works will then need to be completed in accordance with the approved details.

13.4 The Lead Local Flood Authority has advised that properties in the vicinity of the site have suffered from flooding caused by surcharging manholes and that NWL has carried out some sewer improvement in the area to reduce flood risk. Discharge rates will have to be agreed with NWL. As there is potentially a culvert running through the western edge of the site, an informative should be included to establish the position of the culvert, if found, and a method statement is required to agree its protection.

13.4 It is the advice of officers that the proposal complies with the aims of the NPPF.

13.5 Members must decide whether the development complies with the NPPF in relation to flooding and drainage issues.

14.0 Financial Benefits

14.1 The proposed development will bring this vacant site back into use and provide local jobs. This is a material consideration in relation to this application.

15.0 Conclusion

15.1 It is officer opinion that the principle of the proposed development for retail, office and nursery units is acceptable and it will not have an adverse impact on the character of the area, residential amenity, traffic generation, car parking, access or any of the other issues raised.

15.2 The scheme will sit comfortably on the site and is considered a positive form of development for the area. The development provides an opportunity to support retail investment and economic development. The redevelopment of the site will also improve the appearance and overall quality of the site by bringing a vacant site back into use

15.3 It is the view of officers that the development is in accordance with the NPPF, the emerging North Tyneside Local Plan and policies in the UDP and having regard to all representations received, approval of the application is recommended subject to conditions.

RECOMMENDATION: Application Permitted

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

- Upgrade of footpaths surrounding the site
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture and signage

Conditions/Reasons

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

0087 14 02 001 OS and Block Plans

0087 14 05 015 Proposed Plan

0087 14 02 007 Rev LProposed Floor Plans

0087 14 05 004 Rev A Proposed Elevations

0087 14 05 007 Rev A Proposed Sections

GC.132870.03.01 Tree Survey Plan

GC.132870.04.01 Tree Constraints and Protection Plan

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. | Altered Access Access Alt Prior to Occ | ACC15 | *S2 |
| 4. | Exist Access Closure Misc Points By | ACC17 | *6 months
*S2 |
| 5. | Turning Areas Before Occ | ACC25 | *delivery
*S2 |
| 6. | Veh Parking Garaging before Occ | PAR04 | *S6 |

7. No part of the development shall be occupied until details of facilities to be provided for the storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. The facilities which should also 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: In order to safeguard the amenities of the area having regard to

policy S2 of the North Tyneside Unitary Development Plan 2002.

8. Construction Method Statement SIT05 *H13

9. Prior to the installation of any cycle parking, a scheme for the provision of secure undercover cycle parking shall be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety.

10. Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities and in the interests of highway safety.

11. Notwithstanding the details submitted, the Framework Travel Plan shall be developed and implemented as set out in the document and monitored accordingly.

Reason: To accord with the NPPF and Council Policy concerning sustainable transport.

12. All the tree protection measures and working methods outlined within the tree survey plan (drawing GC.132870.03.01), arboricultural report dated November 2014, Tree constraints plan and protection plan (drawing GC.132870.04.01) shall be implemented and complied with.

Reason: To ensure trees to be retained are adequately protected from damage during the execution of works hereby permitted, in the interests of visual amenity having regard to Policy E14 of the North Tyneside Unitary Development Plan 2002.

13. Gas Investigate no Development GAS06 *

14. Contaminated Land Investigation Housing CON01 *

15. Prior to the commencement of the development, the mitigation strategy set out in Table 3 of the Coal Mining Risk Assessment Report (January 2015, prepared by Delta-Simons Environmental Consultants Limited) shall be undertaken in full.

Reason: In accordance with Policy E3 of the North Tyneside Unitary Development Plan 2002.

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

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

17. Materials Building Schedule Before Devel MAT03 *S2

18. Restrict Hours No Construction Sun BH HOU04 *

19. Noise No Tannoys Externally Audible NOI02 *H13

20. The noise rating level from the combined plant and equipment installed at the site shall not exceed the lowest background noise level of 36 dB(A) for night and 46 dB for daytime at the nearest sensitive receptors in Gilsland Avenue. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval to the Local Planning Authority.

Reason: To prevent an increase in background noise level and having regard to the requirements of the NPPF.

21. A noise scheme shall be submitted to and approved in writing by the Local Planning Authority for the service yard located adjacent to 110 Churchill Street in accordance with BS4142 to determine the current background noise levels for daytime, evening and night. The rating level for the plant must not exceed the current background noise levels. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant.

Reason: To prevent an increase in background noise level and having regard to the requirements of the NPPF.

22. No chimney or extraction vent shall be installed unless details of their height, position, design and materials have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

23. No air ventilation systems shall be installed unless details have been submitted to and approved in writing by the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details and permanently retained.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policy H13; of the North Tyneside Unitary Development Plan 2002.

24. No refrigeration plant shall be installed unless details have been submitted and approved in writing by the local planning authority. The plant shall thereafter

approved, details of an acoustic fence shall be submitted to and approved in writing by the Local Planning Authority. The fence shall be installed prior to occupation of any part of the development and retained thereafter in accordance with the agreed details.

Reason: To prevent an increase in noise levels to protect the amenity of nearby residential dwellings having regard to policy E3 of the North Tyneside Unitary Development plan (2002).

32. A 1.8 metre high double boarded acoustic fencing shall be installed to the three service enclosures to the north and east of the building hereby approved, as indicated on layout plan drawing number 0087 14 05 015 and thereafter retained to screen the external plant installed in the service areas .

Reason: To protect the amenity of occupiers of nearby residential dwellings from noise disturbance having regard to policy E3 of the North Tyneside Unitary Development plan (2002).

33. Windows on the northern gable of the building to the nursery at first floor level shall be obscure glazed and retained as such at all times.

Reason: In the interests of the amenity of neighbouring properties having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

34. Notwithstanding any details of landscaping which may have been given in the application, the development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to landscaping being planted.

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.

35. Landscape Scheme Implementation LAN06 *E14
Period

36. Prior to the commencement of development the following details and a timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority:

- Upgrade of footpaths surrounding the site
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture and signage

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

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

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

Contact ERH Construct Highway Access (I05)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

Potentially there is a brick culvert on the western side of the site. If this is found during works, this should be reported to the Lead Local Flood Authority Officer on 0191 643 6103. A method statement to protect the culvert should be submitted to and agreed with the Lead Local Flood Authority Officer.

Building Regulations Required (I03)



Application reference: 16/00194/FUL

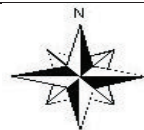
Location: Site Of Former Customer Service Centre, Churchill Street, Wallsend, Tyne And Wear

Proposal: Erection of single storey and two storey development to provide 5no units, comprising of 3no retail unit (Class A1), 1no unit to provide nursery accommodation (Class D1) and 1no office unit (Class B1) with associated car parking, servicing, access, landscaping and works to TPO trees

Not to scale

Date: 01.09.2016

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Appendix 1 – 16/00194/FUL Item 1

Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 The site is accessed from Churchill Street via an entry & exit arrangement to a parking area located in front of the units. Servicing takes place within the site and the applicant has provided a swept path drawing indicating an appropriate servicing vehicle entering, turning and exiting in a forward direction.

1.3 The site is located in a local centre with good links to public transport and a large catchments area of local residents. An existing area for parking in addition to that provided on site for local shops and services is available Tynemouth Road.

1.4 For the reasons outlined above and on balance, conditional approval is recommended. The applicant will be required to enter into an appropriate Legal Agreement for the following works: upgrade of footpaths surrounding the site; associated street lighting; associated drainage; associated road markings; associated Traffic Regulation Orders; associated street furniture & signage.

1.5 Conditions relating to the following are recommended. Access, turning of delivery vehicles and parking to be in accordance with the approved drawings, existing access points to be stopped up, refuse, cycle parking, car park management strategy and refuse management strategy and construction management details to be submitted and agreed and the Travel Plan to be implemented and monitored.

1.6 The following informatives are recommended

- I05 Contact Env Serv: Construct Highway Access
- I08 - Contact Env Serv: Works to Footway
- I10 - No Doors/Gates to Project over Highways
- I13 - Don't Obstruct Highways: Build Materials
- I45 - Street Naming & Numbering.
- I46 - Highways Inspection before development.

1.7 Lead Local Flood Authority

1.8 Following review of this application, I can confirm that properties within the vicinity of the site did suffer from flooding caused by surcharging manholes. However I am aware that NWL carried out a sewer improvement scheme in the area to reduce the flood risk in the area. As this is a brownfield site I would expect to see a 50% reduction in current discharge rates however the applicant has put forward a design with a 30% reduction from the current discharge rates. As the site will discharge into Northumbrian Waters sewer network it will be their representatives who will provide the agreed discharge rates for the site. I will require documentation from Northumbrian Water detailing the agreed discharge rates for the site. I would also advise that there is a potentially an unidentified

brick culvert running through the Western edge of the site. I don't think this will have an impact on the proposed position of the attenuation tank but investigations will need to be carried out to establish the position of the culvert and if required a method statement will need to be provided for its protection.

1.9 Manager of Environmental Health

1.10 a) Pollution

1.11 The application is for the construction of a single storey and two storey development to provide 5no units, comprising of 3no retail unit (Class A1), 1no unit to provide nursery accommodation (Class D1) and 1no office unit (Class B1) with associated car parking, servicing, access, landscaping and works to TPO trees. The applicant has confirmed that the nursery will not have dedicated outdoor amenity area.

1.12 I have viewed the noise report which considers the amenity of nearest sensitive receptors on Gilsland Avenue from plant noise located to the rear service yard only. The noise assessment has not been updated to reflect the changes to the development proposal but solely considers typical proposed plant servicing the previously approved planning application for two retail units.

1.13 The noise assessment has obtained a representative background noise level at Gilsland Avenue and a rating level which allowed for no increase in background to prevent likelihood of complaints is set as noise assessment criteria. This is based on 1.8 m high enclosure around the external plant and a 2.4 m high acoustic fence to the rear of the site. This assessment is based on typical noise levels generated by proposed plant. The noise assessment has also considered use of the external plant at night and determined that the night time noise levels will cause no likelihood of complaint or significant adverse impact. Although the noise assessment has not included any corrections for tonal noise or intermittency. Condenser units will switch on and off during the night and if considered using the revised BS4142:2014 standard, a correction may be applied to address intermittency and the irregular nature of the noise. Even if a 9 dB correction was applied, the noise rating level from external plant would still be below the existing daytime and night time background noise levels. The assessment has not obtained a background noise for Churchill Street. I would recommend a condition to require the plant noise to be verified following installation to ensure the noise levels do not exceed the existing background noise levels at noise sensitive receptors in Gilsland Avenue and Churchill Street.

1.14 The assessment for the use of the car park has not considered all potential noise sources or made reference to any Lmax noise levels from other associated noise from the car park use such as clashing of trolleys, slamming of car doors and car boots or loud voice from customers. The noise assessment states that the background noise levels are high enough to mask the noise from customers. Impact noise will occur from slamming doors, rattling of trolleys over the ground, car radios and shouting by customers. The noise assessment has not considered the impact from the proposed change to include for D1 nursery use. The pattern of customers to this facility is likely to be different to that of the A1 retail units and I would be concerned about early morning customer noise at weekends. No information on the operating times of the nursery has been provided. Noise from customer vehicles is not anonymous noise like passing traffic which is considered

less intrusive than unfamiliar distinct noise. However, as it is likely that the background noise levels to the front of the site on Churchill Street are likely to be higher than Gilsland Avenue. However a restriction on operating times of 08:00 to 21:00 hours, Monday to Friday and 08:00 to 17:00 hours on Saturdays with no use on Sundays will be considered acceptable for the nursery.

1.5 HGV delivery noise has been assessed at what appears to be a location approximately 1 m from a rigid 11mm lorry. The resultant noise levels appear to show peaks noise levels of upto 78 dB. It is not clear if the reversing alarms for the delivery operation was considered as no calculations are provided to determine the extent of noise at nearest sensitive receptor. This needs to be fully considered to qualify that delivery noise is acceptable between 07:00 hours to 22:00 hours. The delivery yard is to the rear I would therefore recommend a condition to protect residential premises from delivery noise and would recommend a condition on times to between 08:00 and 19:00 hours. It is also necessary to provide a scheme of noise mitigation against delivery and customer noise for adjoining residential premises.

1.6 The retail units and the nursery may carry out auxiliary cooking eg baking bread or small canteen. I would therefore recommend conditions for odour control and for any extraction equipment installed at the site.

1.7 Conditions are recommended relating to noise levels of plant and equipment in rear yard in relation to properties in Gilsland Avenue which shall not exceed background noise and shall be tested within one month of installation; a noise scheme for service yard adjacent 110 Churchill Street to establish background noise levels and that plant noise shall not exceed background noise levels and shall be tested within one month of installation; details of extractor chimneys or vents, air ventilation system, refrigeration plant and odour suppression; no sound reproduction equipment shall be audible outside curtilage of site; restricting hours of construction; restricting hours of A1 and B1 units to 07.00- 23.00 hours and nursery to 08.00- 21.00 hours Monday to Friday and 08.00-17.00 hours on Saturdays and not on Sundays; no deliveries or collections to rear of premises permitted between 19.00 and 08.00 hours; 2.5m double boarded fence to be installed to rear boundary and retained; 1.8m double boarded fence to be installed to external plant to rear of site and adjacent to 110 Churchill Street; external lighting to be agreed; refuse storage to be agreed; and dust suppression during construction works.

1.8 b) Contaminated Land

1.9 I have read the Coal Mining Risk Assessment report by Delta Simons. The report identified a medium to high risk from mine entries and recommends a detailed site investigation to identify mine entry. It also identified that although mine gas emissions have not been recorded by the Coal Authority as a hazard due to the potential presence of a former mine shaft underlying the site, there remains the possibility of mine gas entering either existing or proposed structures. A condition relating to the investigation and assessment of the presence of gas emissions and land contamination and any mitigation, if required, should be imposed.

1.10 Landscape advice

1.11 The arboricultural report has surveyed 11 trees, some of which are located in neighbouring properties. Three of the trees are protected by a TPO which are to be retained (T1, T2 and T3.) Of the 11 surveyed trees, the proposed development will see two trees removed (T4 and T5). The trees are categorised as category C and U trees in accordance with BS 5837:2012. The remainder of these trees are located within private land and will not be affected or require removal as part of the development works.

1.12 One replacement tree should be planted to mitigate for the loss of T4 and T5. The remaining 3no Category 'C' trees will not be impacted by the proposed development. 2no Category 'B' (T1 and T2) and 1no Category 'C' (T3) trees will see some impact by the proposed development with works undertaken within the RPA of the protected trees. However the arboricultural report has identified measures that will ensure the impact of the development will not be detrimental for the long term health of these trees. The root protection areas (RPA's) have been calculated in accordance with guidelines within BS 5837:2012, as highlighted on the tree survey schedule. Due to the nature and constraints of the existing site, the RPA will need to be offset/adapted to suit envisaged root growth area on the Tree Constraints Protection Plan (TCPP). As long as all the protection measures and working methods outlined within the tree survey plan (drawing GC.132870.03.01), arboricultural report dated November 2014; Tree constraints plan and protection plan (drawing GC.132870.04.01) are undertaken the proposed works are acceptable. A fully detailed planting plan will be required.

1.13 Early Years Commissioning Team

1.4 The Commissioning Team would welcome additional daycare nursery capacity in the Howdon area as it would provide enhanced choice and convenience for local families. It would also support the Authority's childcare sufficiency duties, particularly ahead of the proposed introduction of the 30 hour childcare offer to working families in September 2017. The provider must ensure the provision is able to meet the statutory framework for the early years foundation stage.

1.15 Acting Director of Public Health

1.16 Comments relate to the hot food element of the application which has now been removed from the application.

1.17 Objects to the application as the proposal is contrary to policy DM3.7 of the Draft Local Plan which relates to hot food takeaways as the development is in a ward where more than 10% of year 6 pupils are classified as obese. The premises are located in Howdon Ward and Public Health England National Child Measurement Programme Data for 2011/2012 to 2013/2014 reports that 21.2% of year 6 pupils in the ward are obese.

2.0 Ward Councillor Objection

2.1 Councillor Harrison

- loss of privacy
- loss of residential amenity
- Nuisance- disturbance
- Nuisance – dust/dirt

- Nuisance noise
- poor/unsuitable vehicular access
- increased traffic congestion on Churchill Street, Tynemouth Road and surrounding streets. Due to types of businesses proposed this would be over a wide range of time through the day ie parents dropping off and picking up children, customers using the takeaway outlets and other units, staff and delivery vehicles
- inadequate parking provision. 16 parking spaces will result in vehicles parking on the main road and surrounding streets adding to congestion.- taking Shakespeare Street as an example where there is a dangerous congestion problem
- child safety issues. The nursery is proposed adjacent and above the hot food takeaways. Evacuation of children in the event of a fire will be harder without an adequate supervisor to small children ratio. Because of the character of the business this increases the number of strangers coming and going across the site. Adequate protection should be put in place to stop strangers and children mixing.
- Odours/ fumes. The hot food takeaways would create unwanted odours/fumes in the immediate and surrounding area – Churchill Street and Gilsland Avenue
- there are a number of various hot food takeaways in the surrounding area – Churchill Street, Tynemouth Road and Winsor Drive. The proposal to add another two hot food outlets would be too many for such a small area surrounded predominantly by houses.
- increased litter across the streets would make the area look and feel untidy

3.0 Representations

23 letters of objection from 22 addresses

22 of the letters object to the hot food element of the proposal, 15 of the letters object to other issues as well and 7 object to the hot food element only.

3.1 Highway objections

- increased traffic congestion. At peak times traffic backs up on Churchill Street on a daily basis. This will worsen with the proposed works to the Silverlink A19 junction. Will impact on emergency service responses. Area will become gridlocked. Large lorry delivery to nearby florists can cause congestion particularly at the traffic lights and as there is a bus stop outside the site.
- nursery users likely to work elsewhere and therefore will more likely use cars rather than public transport. Drop off and pick up times likely to be in rush hour times which is not reflected in the proposed trip rates. Therefore the data is significantly skewed. Just because there is a bus stop outside the site doesn't mean users of the units will use public transport.
- poor traffic safety
- poor pedestrian safety
- Churchill Street busy road linking Tynemouth Road and A1058.
- inadequate parking provision. Properties opposite are private residential properties. There are no parking restrictions outside these properties or nearby. Residents have no onsite parking and therefore park on the street. Proposal would significantly impact on residents in nearby properties. Bus stop outside unit reduces opportunities for parking. Parking is already an issue for the library and nearby shops and the proposed 16 parking spaces underestimates the parking

requirements. No parking proposed for staff. The Transport Statement states that the nursery will have up to 26 staff and potentially 82 children. Added to other unit's staff and the operating hours of the units, there are likely to be staff that will drive to work rather than use public transport. Applicant has advised that parking spaces can only be used for 30 minutes therefore staff will park on the road outside nearby residential properties. LDD12 standards have not been met.

- parking survey found plenty of parking on street. During weekdays many residents work but struggle to find parking spaces during the evenings and at weekends. Proposed development will place extra pressure on residents to find space to park their cars. Applicant has reduced parking in relation to LDD12 and justified by available on street parking.
- Transport Statement states that parking in the vicinity at the time of a visit was 'light'. This review is skewed. Resident can rarely park outside own house in evening and could rarely park there during the day when the Service Centre was open when there were only 10-12 staff. The statement is ambiguous.
- poor/unsuitable vehicular access
- little service access for units 1 and 2. Likely to be serviced from the front due to layout of the building. Likely to be in disabled parking spaces or the road.
- potential movement of HGV's will result in traffic disruption on Churchill Street and impact on pedestrian safety. Use of a 'banksman' unlikely for a small retail unit as not have sufficient staff or one who is qualified and available.

3.2 Nursery objections

- no outdoor play area
- no safe car parking spaces for drop off. Churchill Street very busy
- first floor accommodation inappropriate

3.3 Retail Objections

- there are enough retail units in the area

3.4 Other

- inappropriate design
- inappropriate in special landscape area
- loss of privacy
- Loss of residential amenity
- Not in accordance with the development plan
- Nuisance- disturbance
- Nuisance – dust/dirt
- Nuisance fumes
- Nuisance noise
- existing empty units in the area
- change in size of development from 751 sqm to 1045sqm
- adverse affect on wildlife
- inappropriate materials
- loss of or damage to trees
- precedent will be set
- will result in visual intrusion

3.5 Hot food takeaway objections

- too many hot food takeaways in the area already
- nuisance- disturbance

- create odour issues
- increased anti social behaviour particularly in late evening
- increased litter
- health and safety issues including fire hazard if nursery above
- odours to nursery
- generate increased traffic
- increased parking on Churchill Street
- if deliveries will result in vehicles coming and going to deal with orders late at night
- unsafe for children
- cannot place near amenities for children

3 of the letters of objection to the hot food element also supported the nursery, but consider the nursery should be on the ground floor due to health and safety of children

3.6 Other comments

- the area needs large shops like Iceland, Farm Foods, Co-op, Herons, Home Bargains, Wilkinsons etc
- better use would have been housing
- too many small units in the area

1 letter of objection from owner of nearby Fish and Chip Shop

- too many retail shops especially hot food takeaways in area- Howdon and Wallsend
- several empty shops in area
- new units could result in existing units going out of business and therefore more empty shops
- Churchill Street/Tynemouth Road is not a town centre location
- development is not far from residential properties
- hot food takeaway next to a nursery is inappropriate as councils are promoting healthier food to address obesity in children
- hot food takeaways under nursery is a fire hazard
- anti social behaviour
- noise including from early hours deliveries and early hours refuse collections
- litter
- odours at nearby houses
- road and pedestrian safety
- inadequate parking for customers and in particular staff. Will result in on street parking outside residential properties.
- traffic congestion on busy road particularly from delivery lorries
- smaller units exempt from business rates therefore no benefit to Council

3.7 A petition has been received with 130 signatories against

- i) making smaller shops
- ii) A5 hot food use
- iii) increased size of development

Main objection is that there are too many hot food takeaways in the area

4.0 External Consultees

4.1 Coal Authority

4.2 The application site falls within the defined Development High Risk Area. The comments made by the Coal Authority dated 17 February 2015 in relation to planning application 15/00069/FUL are valid and should be applied to this application as the footprint of the new application is the same as that previously approved.

4.3 Comments submitted for planning application 15/00069/FUL

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that further intrusive site investigation and remedial works should be undertaken prior to development.

4.4 The Coal Authority therefore recommends that the LPA impose a Planning Condition, should planning permission be granted for the proposed development, to require the mitigation strategy set out in Table 3 of the Coal Mining Risk Assessment Report (January 2015, prepared by Delta-Simons Environmental Consultants Limited) to be undertaken prior to commencement of development.

4.5 The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above condition.

4.6 Northumbrian Water

4.7 Having assessed the proposed development against the context outlined above we have the following comments to make: the drainage statement indicates that foul and surface water from the development is proposed to connect to the existing private network on the site which then discharges to the public sewer network. It is necessary for the applicant to contact Northumbrian Water to agree discharges to the public sewerage network.

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

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

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

4.10 The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely; Soakaway, Watercourse, and finally Sewer