

**Item No:** 1  
**Application No:** 16/01316/FUL Author: Maxine Ingram  
Date valid: 10 August 2016 ☎: 0191 643 6322  
Target 9 November 2016 Ward: Longbenton  
decision date:

Application type: full planning application

**Location: Land At, Whitehouse Farm, Station Road, Killingworth,  
NEWCASTLE UPON TYNE**

**Proposal: Residential development for 384 dwellings, landscaping and open space (Amended redline boundary to remove previously approved landscaping areas and SUDs 13.9.16, amended house types and plans 31.10.16)**

Applicant: Bellway, FAO Miss Caroline Strugnell Bellway House Kingsway North  
Team Valley Gateshead NE11 0JH

**RECOMMENDATION:** Minded to grant legal agreement req.

## **INFORMATION**

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

1.0 The main issues for this proposal are:

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

1.1 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 Background Information

2.1 The site, subject of this application, was granted planning permission for 366 units at appeal on the 3rd September 2013 (Appeal Ref: W4515/A/12/217554). Members are advised that this consent has been partially implemented with a total of 43 dwellings in Phase 1 already committed and under construction. The committed 43 dwellings, Sustainable Urban Drainage (SUDs), central landscaping strip and the perimeter landscaping are not included in the red line boundary subject of this application. Members are advised that these areas will be implemented in accordance with the previously approved scheme.

2.2 This proposal is for 384 dwellings. The site within this red line boundary has been revised to provide an alternative housing mix. This proposal represents an increase of 61 units, raising the total number of dwellings on the overall site from the previously approved 366 to 427 in total. This represents a 16% increase.

## 3.0 Description of the site

3.1 The application site is 27 hectares (ha) and comprises of arable farmland. The site is bound by the A1056 (Killingworth Way) to the north, the A189 to the west, Whitecroft Road to the south and the East Coast Mainline to the east. Beyond the railway line is an existing industrial estate. The wider site, including the commercial phase and the committed dwellings, extends to circa. 32 ha. The application site is located approximately 7km to the north of Newcastle City Centre and to the west of the Killingworth town centre.

3.2 The original Whitehouse Farm buildings lie centrally within the application site (albeit they fall outside the application boundary) and comprise of four residential dwellings.

3.3 The agricultural field is sub divided by existing hedgerows and bridle paths transect the site. There is also a farm vehicle point of access from the A1056 to the north of the application site.

3.4 The site is accessed direct from the A189. These highway works have been completed. As the site access has been constructed it is subsequently omitted from the boundary of this application. The commercial area, the committed 43 dwellings, SUDs and perimeter and central landscaping are to be constructed under existing consents.

## 4.0 Description of the Proposal

4.1 Planning permission is sought for the construction of 384 dwellings with associated parking. The following housing mix is proposed:

- 26no. 3 bed semi/terraced
- 38no. 3 bed detached
- 297no. 4 bed detached

-23no. 5 bed detached

4.2 The development will be accessed by the constructed four arm roundabout on the A189 at the junction of Great Lime Road.

4.3 The following supporting documents have been submitted:

- Design and Access Statement and Addendum
- Aboriginal Impact Assessment
- Archaeological Desk Based Assessment
- Archaeology Fieldwalking Report
- Air Quality
- Flood Risk Assessment (FRA)
- Geoenvironmental Appraisal
- Geophysical Survey
- Hazardous Gas Risk Assessment
- Noise Report
- Planning Statement
- Residential Travel Plan
- Transport Statement

#### 5.0 Relevant Planning History

11/02337/FUL - Hybrid planning application comprising of; Full planning application for an executive scheme of 366 dwellings incorporating landscaping, wildlife corridors, open space, access, new roundabout and off site highways works and an outline application for up to 465 square metres of ancillary commercial development (Use Class A1/A2/A3/A4) – Refused 20.04.2012. Allowed at appeal 3.09.11.

14/00666/FUL - Variation of conditions for planning permission 11/02337/FUL to allow a change to phasing of the development to six phases, and clarification of timing including the submission of details for bridges, the provision of fencing adjoining railway line, and details of the commercial development – Permitted 26.09.2014

16/00275/FUL - Variation of conditions 1 (approved plans) and removal of 13 (sustainability) for planning permission 14/00666/FUL - amendments to house types – Permitted 18.05.2016

16/01768/SCREIA - Request for Screening Opinion in respect of proposed residential development – Pending consideration

#### 5.1 Commercial phase

15/01808/FUL - Construction of pub/restaurant with associated car parking – Permitted 26.01.2016

## 6.0 Development Plan

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

## 7.0 Government Policy

7.1 National Planning Policy Framework published 27 March 2012.

7.2 National Planning Practice Guidance (NPPG) (As amended).

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

## **PLANNING OFFICERS REPORT**

### 8.0 Main Issues

The main issues in this case are:

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

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

### 9.0 Principle of the Proposed Development

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

9.2 In relation to housing, NPPF states that the Government's key housing objective is to increase significantly the delivery of new homes. In order to achieve this objective government requires that authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five

years worth of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery the buffer should be increased to 20 per cent.

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

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

9.5 In the current UDP the site is designated as safeguarded land according to policies E21 and E21/1. It is clear that the proposal would not be located on previously developed. Whilst NPPF encourages the use of previously developed land it is not a prerequisite. Members must also have regard to the fact that the principle of developing this safeguarded land, for residential development, has been accepted at appeal.

9.6 According to policy E21 safeguarded land is defined as land that may be required for development beyond the plan period. The plan period is defined in paragraph 2.2 of the UDP as running to 2006, we are now well beyond this. However, this application represents a departure from saved policies.

9.7 UDP Policy E21/1 states that the development within the area defined as safeguarded land will not be permitted unless the following apply:

- It preserves the open nature of the area especially where this forms important open breaks between or within the built up area, and
- It does not cause significant visual intrusion, and
- It does not adversely affect access for recreation, and
- It will not adversely affect important landscape features, and
- It will not cause significant harm to agricultural or forestry operations, and
- No alternative site is reasonably available.

9.8 It is appropriate to assess the development against these criteria. Issues as to whether the proposal will result in any visual intrusion or affect important landscape features and recreation will be considered later in this report.

9.9 The proposal is contrary to policy E21 and E21/1, but given the SoS decision in relation to Whitehouse farm, the fact that the UDP plan expired in 2006, the majority of the housing allocations made in it having been built out or in the process of being built, and the timescale for adoption of a replacement plan it is not considered that policies E21 and E21/1, although saved, can be given significant weight.

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

9.11 Policy H5 of the UDP states that proposals for housing development on sites not identified for this purpose will only be approved where all of the following criteria can be met: (i) The proposal is on a previously developed site and is within the built up area; (ii) It is acceptable in terms of its impact on its site, local amenity, the environment, and adjoining land uses; (iii) It can be accommodated within the existing infrastructure; (iv) It does not have an adverse impact on open space provision. This policy is not wholly consistent with the advice in NPPF and therefore Members should not give it full weight.

9.12 When assessed against Policy H5 this proposal fails the first criterion. However, it is located adjacent to existing residential dwellings to the south and an industrial estate beyond the railway tracks to the east. Members are advised that whilst the NPPF 'encourages' the use of previously developed land, this is not a prerequisite. Furthermore, the principle of already developing this safeguarded land (in the current UDP) for the construction of 366 dwellings has already been accepted at appeal.

9.13 The Council's Local Plan Pre-Submission Draft 2015, endorsed by Full Council in October 2015, includes this site as a site with existing planning permission.

9.14 Members must have regard to the SoS decision to allow 366 residential dwellings on this site and determine whether or not the principle of a further 61 units on this site is acceptable. The site is located on the borders of a number of existing settlements, with West Moor, Killingworth and Camperdown positioned close to the site boundaries. The Gosforth Park and its recreational facilities are located close to the western edge of the site and to the south by the residential properties in Whitecroft Road. The proposed site is also well connected to the local and wider road network, with the A1056 bordering the northern fringe area and the B1319 following the full length of the western boundary. The site incorporates a number of footpaths and bridleways that are vital to the wider pedestrian and cycle network. Officer advice is that the principle of residential development on the site is acceptable subject to any harm arising from the additional 61 units 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.

#### 10.0 North Tyneside 5-Year Housing Land Supply

10.1 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.

10.2 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 6,416 new homes between 2016/17 and 2020/21.

10.3 The September 2016 Strategic Housing Land Availability Assessment (SHLAA) identifies the total potential 5-year housing land supply in the borough at 5,544 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a shortfall of 872 homes against the Local Plan requirement (or a 4.32 year supply of housing land).

10.4 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.

10.5 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.

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

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

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

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

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

11.5 The objections received regarding the impact on residential amenity are noted. However, the previous appeal decision accepted that the development of this land for up to 366 residential dwellings and would not result in an unacceptable impact on the residential amenity of existing residents. Members are advised that the additional 61 units would be constructed within the existing developable area parameters of the previously approved development.

11.6 The principal areas of concern in regard to privacy distances are between the existing and proposed development to the existing grouping of dwellings at Whitehouse Farm and those properties on Dene Avenue and Whitecroft Road. Properties in Whitecroft Road are screened by proposed and existing planting and the properties within Whitehouse Farm are surrounded by mature hedging. Furthermore, the impact on the visual amenity of these existing properties has already been accepted by the previously approved development.

11.7 A separation distance of approximately 50m would exist between the gable of No. 3 Whitehouse Farm and the rear elevations of plots 88 and 89. This separation distance complies with the privacy distances set out in DCPS No. 14.

11.8 A separation distance of approximately 70m would exist between No. 4 Whitehouse Farm and the gable of plot 98. This separation distance complies with the privacy distances set out in DCPS No. 14.

11.9 A separation distance of approximately 37m would exist between Nos. 1 and 2 Whitehouse Farm and plots 39 and 40. This separation distance complies with the privacy distances set out in DCPS No. 14.

11.10 A separation distance of approximately 86m would exist between the residential dwellings of Dene Avenue and plots 11 and 12. This separation distance complies with the privacy distances set out in DCPS No. 14.

11.11 A separation distance of approximately 83m-94m would exist between the residential dwellings of Whitecroft Road and plots 27-32. This separation distance complies with the privacy distances set out in DCPS No. 14.

11.12 The internal separation distances, between the proposed dwellings, broadly comply with separation distances set out in DCPS No. 14. There are some properties which do not comply with the privacy distances set out in this policy. A marginal reduction on some plots is considered to be acceptable.

11.13 The objection received from the adjacent commercial unit is noted. However, the previous appeal decision accepted that the development of this land for up to 366 residential dwellings and its relationship to the commercial units located to the east as being acceptable. Members are advised that the additional 61 units would not be sited any closer to these commercial units than the previously approved development.

11.14 The Noise Report prepared to support planning application 11/02337/FUL set out various mitigation measures, including acoustic fencing and glazing specifications. The additional proposed dwellings are contained within the development parcels as previously assessed. There are therefore no proposed dwellings closer in proximity to the roads or railway previously considered within the noise report. The revisions to the layout merely increase the density of the housing. The applicant has advised that the previously agreed mitigation measures would be added to the additional dwellings.

11.15 The Air Quality Report prepared to support planning application 11/02337/FUL concluded that the proposed development would have negligible effect in terms of nitrogen dioxide and particulate matter, with a decrease noted at some receptors due to a lowering in road speed with the introduction of the roundabout. The applicant considers that the proposed increase in residential dwellings is insignificant in terms of air quality impact.

11.16 The Manager for Environmental Health has been consulted. She has reviewed the submission for the applicant regarding the noise scheme and the air quality assessment. She acknowledges that there is no change to the previously agreed mitigation measures. She has advised that double boarded fencing would need to be provided for those properties located on the western and northern boundary of the site. A condition is recommended to secure this.

11.17 Members need to determine whether the impact on the amenity of existing and future residents and existing commercial businesses is acceptable. It is the view of officers that the layout of the proposed development is acceptable in

terms of impact on outlook, privacy and light for both existing and future occupants and existing commercial businesses.

## 12.0 Design and Layout

12.1 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.

12.2 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.

12.3 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 and therefore cannot be given full weight.

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

12.5 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.

12.6 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.

12.7 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.”

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

12.9 The application increases the total number of units from 366 to 427. This results in a 16% increase. The overall residential area, including the 43 committed dwellings, will increase the density on the site from the previous 16.6 dwellings per ha to 19.4 ha of the developable area. However, if all incidental open space and wildlife corridors are included, the overall density would reduce to 13 dwellings per ha. Within the site there are a number of design styles which will be built to different densities. These will range from approximately 23 dwellings per ha to a lower density in the southern area of the site. NPPF allows authorities to establish their own density standards and whilst this is lower than is set out within policy H12, it reflects the type of accommodation that the development aspires to, retaining a low density development. Albeit, the number of units on the overall site has increased, officers consider that the development does not constitute overdevelopment as the additional units can be accommodated within the previously agreed developable area parameters.

12.10 The dwellings, subject of this application, represent a revised design approach. As previously advised, part of the first phase of the approved development is already under construction. The dwellings currently being constructed are relatively contemporary in design whereas the design of the proposed dwellings takes a more traditional design approach. It is important that the whole site ties together to form an attractive and well designed development. The Design Officer has advised that the revised house types address his previous concerns in relation to this issue and now demonstrate a more contextual design approach which will sit well next to the constructed dwellings.

12.11 The Design Officer considers that the elevation style and materials proposed in this application integrate as best as possible with the existing phase of the development currently under construction. There will be a small number of dwellings with white windows in isolation from the rest of the development which will have anthracite windows. While this is not ideal, the overall impact will be minimal.

12.12 The key principles of landscaping, wildlife corridors, pedestrian routes and street layout remain the same as in the previously approved application. The dwellings have been arranged to positively face onto the central route through the site. This provides good levels of natural surveillance. The house types and materials emphasise key views and corner plots which help to provide navigation points through development. Boundary treatments are generally well considered

and have been designed to create different character areas and to emphasise certain areas as focal or community points within the site.

12.13 It is acknowledged that the increase in the number of units results in an additional need for car parking. The Design Officer considers that, to help visually mitigate this, visitor car parking bays should be surfaced in concrete blocks to contribute towards a well balanced and attractive street scene. This can be controlled through condition.

12.14 The site incorporates a number of footpaths and bridleways that are vital to the wider pedestrian and cycle network. Pedestrian links have been improved throughout the site.

12.15 The Architectural Liaison comments are noted. The applicant has advised that the development embraces the core principles of 'secured by design' with all routes overlooked with good levels of natural surveillance. Each dwelling will also be provided with secure undercover cycle parking. The dwellings will also adhere to any security requirements imposed by Building Regulations. Members are advised that this consultee has not objected to the proposed development.

12.16 Members need to determine whether the additional 61 units results in an acceptable impact on the character of the area. It is the view of officers that the impact on the character of the area is acceptable and accords with advice contained within NPPF and policies H11, H12 and LDD11.

### 13.0 Car Parking and Access

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

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

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

13.4 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.

13.5 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.

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

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

13.8 The objections received regarding the impact on the highway network are noted.

13.9 The current layout has been designed in accordance with current standards in terms of road and footpath widths, turning areas etc. and provision has been included for bus stops in the site to accommodate the shuttle bus. Parking has also been provided in accordance with the standards outlined in LDD12 for the residential element of the development and provision for the storage of cycles has been provided throughout.

13.10 Members are advised that the previously approved application, accompanied with a Transport Assessment (TA), analysed junctions in the vicinity of the site as well as the proposed site access. The previously approved scheme secured the following off-site highway works:

- Introduction of traffic signals with Toucan crossing facilities at the existing A1056 Sandy Lane/A189 roundabout junction
- Provision of a signalised Pegasus crossing across the A189 south of the A1056 Sandy Lane/A189 junction
- Provision of a new signalised roundabout junction at the proposed site access where it joins the A189
- Provision of a signalised Pegasus crossing across the A189 south of the proposed site access
- Introduction of traffic signals at the existing A188 Benton Lane/A189 Salters Lane/B1505 Benton Lane roundabout junction (West Moor roundabout)

13.11 The previously approved scheme also secured Section 106 payments totalling £90,935 to contribute to potential improvement schemes at the two junctions listed below:

- A188 Benton Lane/Quorum/Balliol Business Park roundabout (£10,385)
- A188 Benton Lane/Goathland Avenue/West Farm Avenue roundabout (£80,550)

13.12 Members are advised that the above S106 contributions have been paid. The secured sum of money towards improvements at Haddricks Mill junction has also now been requested to be paid from the applicant.

13.13 A Travel Plan (TP) was also submitted as part of the previously approved application. The TP aimed to reduce the amount of vehicle trips associated with the site by 5% through the introduction of sustainable measures which are set out in paragraph 13.17 of this report. The S106 Agreement accompanying the previously approved scheme secured a bond totalling £100, 000 should the TP targets not be met. This bond will remain in place should Members approve this development.

13.14 Members are advised that the current application has been supported by a Transport Statement and an addendum to the TP. The TS concluded that no further off site highway improvements were required given the significant amount of infrastructure agreed in the original approval.

13.15 The Highways Network Manager has been consulted. He does not consider that the additional units would result in a severe impact on the adjacent highway network.

13.16 Highways England has been consulted. They have raised no objection to the proposed development.

13.17 Nexus has been consulted. They have raised no objections to the development. The Travel Plan measures include:

- Provision of a shuttle bus between the site and Four Lane Ends Interchange for a period of two years.
- Provision of a car club based on site for use by new residents.
- Provision of car clubs at Quorum and Cobalt Business Parks to offset vehicle trips relative to the development.
- Welcome packs for new residents to promote walking and cycling routes and public transport.
- Provision of a voucher for up to two, two-week free bus passes per dwelling.

13.18 The applicant does not consider the request for two 4-weekly Network One pass per dwelling to be justified as this would effectively double the previously accepted commitment. They have advised that they are prepared to offer each household one 4-weekly Network One pass which is commensurate cost-wise with the original commitment. Combined with the Shuttle Bus this is considered to be sufficient to encourage sustainable travel by bus. This can be controlled by condition.

13.19 The applicant has acknowledged Nexus' request for a bus shelter on the A189 lay-by and are happy to provide this. This will be secured by condition.

13.20 The applicant has acknowledged the factual inaccuracies in the TP. They have advised that these inaccuracies do not affect the measures proposed and can be addressed as part of the on-going monitoring of the TP.

13.21 Members need to determine whether the proposal will have a severe impact on the transport network. NPPF clearly states that development should not be prevented or refused on transport grounds unless the residual impacts of development are severe. It is officer advice that the development would not have a severe impact on highway safety and the local road network.

#### 14.0 Other Issues

##### 14.1 Recreation Access

14.2 NPPF states that Planning policies should protect and enhance public rights of way and access.

14.3 The site currently hosts a number of accessible routes including Bridleways and Adopted Footpaths. Many of the surrounding Bridleways form part of the Waggonway Network along the route of the old mineral lines with significant historic importance.

14.4 The development will require the temporary closure/diversion of a number of paths, however, on completion there will be direct, safe and coherent routes and crossings throughout the site and beyond for all users. Although the disruption is not usually welcomed the user groups recognise the long term benefits the improvements will offer to the wider Network.

##### 14.5 Contamination

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

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

14.8 The Contaminated Land Officer has been consulted. She has advised that there is no requirements to re-impose the gas or contaminated land conditions as these details have been discharged under the previous planning approval.

14.9 The Coal Authority has been consulted. They have raised no objections.

14.10 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.

#### 14.11 Biodiversity

14.12 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.

14.13 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.

14.14 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.

14.15 NPPF advises that that the planning system should contribute to and enhance the natural and local environment. Members need to consider whether the proposal would accord with the advice in NPPF and weight this in their decision. It is officer advice that, subject to conditions the proposal would not result in significant harm to biodiversity and that suitable mitigation is proposed to limit the impact. The proposal would accord with the advice in NPPF.

14.16 UDP Policy E12/3 states that development which would adversely affect a site of nature conservation importance (SNCI and now known as Local Wildlife Site) will not be permitted unless: no alternative site is reasonably available and the benefits of the development would outweigh the importance of the site; or appropriate measures of mitigation of, or compensation for, all the adverse effects are secured, where appropriate through planning conditions or planning obligations. In all cases any adverse effects of development shall be minimised.

14.17 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.

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

14.19 The objections raised regarding the impact on the nearby Gosforth Park Nature Reserve (SSSI) and wildlife are noted.

14.20 The objection raised from the Natural History Society of Northumbria (NHSN) is noted. Their requested increase in the previously secured financial contribution to address the indirect impacts on Gosforth Nature Park Reserve arising from the development will be secured through a deed of variation to the previously agreed S106 Agreement.

14.21 The SuDS, perimeter landscaping and central landscaping are not included within the application site. These areas are to be implemented under the previously agreed development. The discharge rates from the revised development into the previously agreed drainage scheme remain unchanged. Members are advised that the landscaping details for these areas outside the redline boundary have been submitted under a discharge of conditions application relating to the previously approved development. These landscaping details will be implemented in accordance with the relevant discharge of conditions application. Members are also advised that the development does not encroach onto the adjacent Local Wildlife Site (LWS).

14.22 The Council's Ecology Officer has been consulted. She has raised no objections to the increase in the number of units on the site as the previously agreed landscaping for the SUDs, the perimeter of the site and the central landscaping strip remain the same. The discharge rates for surface water also remain the same as previously agreed.

14.23 The Landscape Architects comments are noted. Any reference to the SUDs landscaping, the perimeter landscaping and central landscaping areas are not relevant to this application as they are not included within the redline boundary. A landscaping condition to secure the details within the redline boundary is suggested should planning permission be granted.

14.24 Natural England has been consulted. They have raised no objections to the proposed development.

14.25 Members are advised that any relevant conditions relating to ecology (i.e. wildlife tunnels, bridges over the central wildlife corridor) from the previously approved scheme will be re-imposed, where necessary, should planning permission be granted.

14.26 NPPF advises that that the planning system should contribute to and enhance the natural and local environment. Members need to consider whether they the proposal would accord with the advice in NPPF and weight this in their decision. It is officer advice that, subject to conditions the proposal would not result in significant harm to biodiversity and that suitable mitigation is proposed to limit the impact. The proposal would accord with the advice in NPPF.

#### 14.27 Archaeology

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

14.29 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.

14.30 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.

14.31 The Tyne and Wear Archaeology Officer has been consulted and raises no objections.

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

#### 14.33 Flooding

14.34 NPPF states that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere.

14.35 The objections raised regarding flood risk are noted.

14.36 The previously approved scheme included SUDs, including a series of balancing ponds and works to the existing stream that runs west to east across the central part of the site. Members are advised that the SUDs are not included within the redline boundary of this application and will be implemented in full

accordance with the previously agreed scheme. The SUDs will be maintained in the first instance by the applicant until they are transferred across to the relevant management company. Two bridges will cross the central SUDs, which also form part of the wildlife corridor. A condition is recommended to secure the details of these bridges. The S106 Agreement attached to the previously approved scheme secures a contribution of £91, 000.00 for the maintenance of these bridges.

14.37 A Flood Risk Assessment (FRA) was submitted as part of the planning application that analysed various flooding scenarios that could be associated with the site. The site is located in Flood Zone 1 (low risk) and flood risk from all sources except for surface water flooding are considered to be low. The site has suffered from surface water flooding in the past and as such measures will be introduced to minimise this risk.

14.38 The outline surface water drainage strategy will attenuate surface water within the site before discharging into an existing watercourse. The attenuation will cater for a 1 in 100 year storm plus a 30% allowance for climate change. Members are advised that, albeit the number of units has increased, the previously agreed discharge rates will remain.

14.39 The Lead Local Flood Authority (LLFA) has been consulted. He considers that the outline proposals are acceptable in principle and subject to detailed design. On this basis, he has recommended conditional approval.

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

14.41 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.

#### 14.42 Aviation Safety

14.43 Newcastle International Airport (NIA) has been consulted. They have advised that as this application excludes the previously approved SuDS and landscaping, there is no need for a Bird Strike Risk Assessment. However, the site is close to the approach and departure flight path for the airport, and therefore planting in the areas of public space amongst the housing, as well as in private gardens, it is recommended that certain species should be avoided. A condition is recommended to secure this.

14.44 NIA have advised that at this location there is not a concern that photovoltaics would present a safety risk to aircraft on final approach to the airport. There is therefore no requirement to remove permitted development

rights. It is also considered that the other proposed material finishes do not present a risk of glare.

14.45 The main concern for the airport is the operation of cranes used on site over 45m as this has the potential to be hazardous to light aircraft approaching their final ascent to the airport. A condition is recommended to secure details if cranes operate above this height are to be used.

#### 15.0 Financial Benefits

15.1 The proposal involves the creation of 384 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 Officers have given 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 S106 Contributions

16.1 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.

16.2 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.

16.3 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.

16.4 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.

16.5 Members are advised that the contributions agreed under the previous planning approval will still be secured. Officers have consulted with the relevant consultees to seek their views as to whether an increase to the previously secured contributions is required as a result of an increase in the number of units. The contributions that can be secured and ensure a viable development are;

-Affordable housing  
Original £5,520,000  
Increase £920,000  
New Total £6,440,000

-Allotments  
Original £24,100  
Increase £4,019  
New Total £28,119

-Neighbourhood Parks  
Original £192,229  
Increase £30,757  
New Total £222,986

-Employment and Training

Original – to agree an Employment and Training Plan for the employment of 12 apprentices for the lifetime of the development.

Increase: Commuted Sum requested by NTC £14,000 (equivalent to 2x apprenticeships @ £7,000 each)

Total £14,000

-Health

Original £201,960

Increase £44,846.00

New Total £246,806

-Education

Original £211,607

Increase £35,267

New Total £246,874

-Gosforth Park Nature Reserve

Original £12,250

Increase £2,349

New Total £14,599

16.6 These contributions are considered necessary, directly related to the development and fairly and reasonable related in scale and kind to the development and therefore comply with the CIL Regulations. Members are advised that these additional contributions are to be secured over and above the previously secured contributions.

### 17.0 Conclusion

17.1 Members should consider carefully the balance of issues before them and the need to take in account national policy within NPPF and the weight to be accorded to this as well as current local planning policy.

17.2 Specifically NPPF states that LPA's should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. A core planning principle within NPPF requires that 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.

17.3 It continues that where a development plan is absent, silent or relevant policies are out of date, 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 this Framework taken as a whole.

17.4 In conclusion, North Tyneside does not have a 5-year housing land supply and the proposal would make a small contribution seeking to address this and assist in delivering much needed affordable housing. It is the view of officers that the development is acceptable in terms of its impact on existing land uses, the amenity of existing residents and future occupants, its impact on the character and appearance of the area, its impact on ecology and highway safety.

17.5 Subject to the imposition of appropriate conditions the proposed development is acceptable and accords with relevant national and local planning policy and is therefore acceptable.

**RECOMMENDATION:     Minded to grant legal agreement req.**

**It is recommended that members indicate they are minded to approve the application subject to the conditions set out below and the addition or omission of any other considered necessary, subject to the receipt of any additional comments received from Consultees, and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.**

**Members are also recommended to grant plenary powers to the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;**

**-Affordable housing: £920,000**

**-Allotments: £4,019**

**-Neighbourhood Parks: £30,757**

**-Employment and Training: £14,000**

**-Health: £44,846.00**

**-Education: £35,267**

**-Gosforth Park Nature Reserve: £2, 349.00**

**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:**

**-Provision of traffic signals at the junction of the A1056 Sandy Lane/A189 roundabout junction**

**-Provision of signalised Pegasus crossing facilities south of the A1056 Sandy Lane/A189 junction**

**-Provision of part time traffic signals at the existing A188 Benton Lane/A189 Salters Lane/B1505 Benton Lane roundabout junction (West Moor roundabout)**

### **Conditions/Reasons**

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

Site plan as existing Dwg No. 13-004-002 Rev C  
Overall site plan as proposed Dwg No. 13-004-P01 Rev G  
Adoption plan Dwg No. 13-004-P05 Rev D  
Elevational treatment plan Dwg No. 13-0040-P11 Rev B  
Boundary treatment plan Dwg No. 13-004-P06 Rev D  
Site plan as proposed (1) Dwg No. 13-004-P02 Rev D  
Site plan as proposed (2) Dwg No. 13-004-P02 Rev D  
Site plan as proposed (3) Dwg No. 13-004-P04 Rev D  
Phasing diagram Dwg No. 13-004-P12

#### House types

Poplar Dwg No. A/2210/v1/00/01 and 02  
Walnut Dwg No. A/1199/v1/00/01 and 02  
Alder Dwg No. A/1591/v1/00/01 and 02  
Rowan Dwg No. A/946h/v1/00/01 and 02  
Cherry Dwg No. A/802c/v1/00/01 and 02  
Hornbeam Dwg No. A/974h/v1/00/01 Rev A and A/974h/v3/00/02  
Peony Dwg No. A/1057/v1/00/01 and 02  
Maple Dwg No. A/1336/v1/00/01 and 02  
Lilac Dwg No. A/1394/v1/00/01 and 02  
Lime Dwg No. A/1546/v1/00/01 and 02  
Acacia Dwg No. A/1550/v1/99/01 and 02  
Pine Dwg No. A/1701/v1/00/01 and 02  
Plane Dwg No. A/1796/v1/00/01 and 02  
Redwood Dwg No. A/2243/v1/00/01 Rev A and A2243/v1/00/02

Poplar Dwg No. A/2210/v3/00/01 and 02  
Walnut Dwg No. A/1199/v3/00/01 and 02

Alder Dwg No. A/1591/v3/00/01 and 02  
Rowan Dwg No. A/946h/v3/00/01 and 02  
Cherry Dwg No. A/802c/v3/00/01 and 02  
Hornbeam Dwg No. A/974h/v3/00/01 Rev A and A/974h/v3/00/02  
Peony Dwg No. A/1057/v3/00/01 and 02  
Maple Dwg No. A/1336/v3/00/01 and 02  
Lilac Dwg No. A/1394/v3/00/01 and 02  
Lime Dwg No. A/1546/v3/00/01 and 02  
Acacia Dwg No. A/1550/v3/99/01 and 02  
Pine Dwg No. A/1701/v3/00/01 and 02  
Plane Dwg No. A/1796/v3/00/01 and 02  
Redwood Dwg No. A/2243/v3/00/01 Rev A and A2243/v3/00/02

Boundary treatments

1800mm High wall and close boarded fence Dwg No. S6/D06  
1800mm to 900mm transitions close boarded Dwg No. S6/D08  
450mm high trip rail and 1100mm high boundary fencing and gate Dwg No. S6/D18  
1000mm, 750mm and 500mm high estate railings Dwg No. S6/D01  
900mm high post and rail fence Dwg NO. S6/D17

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. The residential development hereby approved shall be undertaken only in accordance with the agreed phasing plan.

To ensure the approved works are undertaken at an appropriate time having regard to policies DCPS14, H11 and E12 of the North Tyneside Unitary Development Plan 2002.

4. Prior to construction of any of the dwellings hereby permitted above damp proof course level the following details and a timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority:

- Provision of traffic signals at the junction of the A1056 Sandy Lane/A189 roundabout junction.
- Provision of signalised Pegasus crossing facilities south of the A1056 Sandy Lane/A189 junction.

-Provision of part time traffic signals at the existing A188 Benton Lane/A189 Salters Lane/B1505 Benton Lane roundabout junction (West Moor roundabout).

Thereafter, these 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.

5. Exist Access Closure Misc Points By ACC17 \*6  
\*H11

6. Notwithstanding Condition 1, prior to the first dwelling within each phase being occupied an area within that phase shall be laid out for refuse vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

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

7. Notwithstanding Condition 1, prior to the first dwelling within each phase being occupied 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.

8. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase above damp proof course level details of the disposal of surface water from that phase, including highway, footpaths and other hard surfaces shall be submitted to and approved in writing by the Local Planning Authority and no dwelling within the relevant phase shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To provide a satisfactory means of surface water drainage having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

9. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of any dwelling

hereby permitted and these areas shall not thereafter be used for any other purpose.

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

10. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase above damp proof course details of facilities to be provided for the storage of refuse at the premises shall be 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 each dwelling and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

11. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). No site storage or parking of (plant) vehicles shall be located within the root protection area of any tree or hedgerow in the area or adjacent to the boundary of the proposed development area. The scheme must include an site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

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

12. Notwithstanding Condition 1, prior to the construction of any dwelling in each phase above damp proof course level a scheme for the provision of secure

undercover cycle parking/storage 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 dwelling is occupied.

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

13. The Travel Plan for the residential development as submitted shall be carried out as agreed with the Local Planning Authority. This shall include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

-The measures included shall be as follows:

-Provision of a shuttle bus between the site and Four Lane Ends interchange for a period of two years.

-Provision of a car club based on site for use by new residents.

-Provision of car clubs at Quorum and Cobalt Business Parks to offset vehicle trips relative to the development.

-Welcome packs for new residents to promote walking and cycling routes and public transport.

-Provision of a voucher for either up to 2 no. two-weekly bus passes or 1 no. 4-weekly Network ONE pass

Reason: In the interest of sustainable transport objectives and having regard to policies H11 of North Tyneside Unitary Development Plan (2002)

14. Notwithstanding those details of the bridges already submitted, prior to the commencement of any development within Phase 2, details of the final design for the two bridges hereby approved and a timescale for their implementation shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority and the local biodiversity officer. Thereafter the bridges shall be constructed only in accordance with these approved details and timescales.

Reason: In the interests of highway safety and biodiversity and having regard to policies H11 and E12 of North Tyneside Unitary Development Plan (2002)

15. Notwithstanding Condition 1, the details of gas protection measures for each phase, if required, shall be provided in exact accordance with the details agreed under 15/02035/COND pursuant to planning application 14/00666/FUL. Thereafter the development hereby approved shall be provided in accordance with these agreed details which shall be permanently retained unless the Local Planning Authority otherwise agree in writing.

Reason: To prevent the adverse effects of underground gas emissions having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

16. Notwithstanding Condition 1, the details of any contaminated land measures/remediation for each phase, if required, shall be provided in exact accordance with the details agreed under 14/01149/COND pursuant to planning application 14/00666/FUL. Thereafter the development hereby approved shall be provided in accordance with these agreed details which shall be permanently retained unless the Local Planning Authority otherwise agree in writing.

Reason: To prevent the adverse effects of underground gas emissions having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

17. Where the boundary of the site abuts land within the ownership of Network Rail, details of a trespass-proof fence shall be submitted to and approved in writing by the Local Planning Authority. The approved fence shall be installed prior to the first occupation of the relevant properties adjoining the railway line and thereafter retained.

Reason: In the interest of public safety.

18. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase a detailed scheme for the disposal of foul sewage from that phase of the development hereby approved shall be 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 and shall be implemented prior to the occupation of each dwelling.

Reason: To ensure a satisfactory development and having regard to Policy H11 of the North Tyneside Unitary Development Plan (2002).

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

Reason: To safeguard the amenity of residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and NPPF.

20. Notwithstanding Condition 1, prior to the commencement of any dwelling within each phase a detailed plan of the relevant phase showing the existing and proposed ground levels and levels of thresholds and floor levels of all residential units in that phase shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory appearance having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

21. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase above damp proof course level a detailed noise scheme in accordance to noise and vibration chapter 10 of the environmental statement reference HK/NJD/NT12747/0004 shall be submitted to and approved in writing by the local planning authority. The scheme, which shall include acoustic window glazing (where required) and ventilation details to be provided to habitable rooms, to ensure bedrooms meet the good internal standard of 30 dB(A) at night and prevent the exceedance of L<sub>max</sub> of 45 dB(A) and living rooms meet an internal equivalent noise level of 30dB LA<sub>eq</sub> as described in BS8233:2014. The approved scheme shall be implemented for each dwelling before occupation and thereafter retained.

Reason: To safeguard the amenity of residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and NPPF.

22. All works on site shall be undertaken in accordance with the measures set out within the agreed method statements and all mitigation for great crested newt, water vole, badger, otter, bats and nesting birds shall be undertaken in accordance with the details agreed under application 14/00865/COND pursuant to planning permission 11/02337/FUL.

The method statements and appropriate mitigation shall include, but not be restricted to, the following measures:

In relation to bats, no trees to be removed unless checking surveys have confirmed roosts are absent.

In relation to badgers and otters, checking surveys shall be undertaken prior to construction

Fifty woodcrete-type bat boxes shall be provided to householders or provided in the southern wildlife corridor.

In relation to birds, any works on-site and vegetation clearance shall avoid the bird breeding season (March to August inclusive), unless a checking survey by an appropriately qualified ecologist has confirmed that no active nests are present immediately prior to works. In addition, a range of different types of bird boxes, 40 in total, shall be erected within and around the site.

Written confirmation of the installation of the boxes shall be provided to the North Tyneside Council Ecologist.

In relation to great crested newts and water voles, checking surveys to be undertaken prior to construction and works to proceed in accordance with the approved method statement.

Reason: To enable the Local Planning Authority to encourage biodiversity and having regard to policy E12 of the North Tyneside Unitary Development Plan 2002.

23. Prior to the provision of any boundary treatments to the residential properties on the western boundary of the site, details of all mammal gaps shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mammal gaps shall be provided in accordance with the approved details prior to the provision of the agreed boundary treatments and the occupation of the relevant dwellings. The mammal gaps shall be retained thereafter.

Reason: To enable the Local Planning Authority to encourage biodiversity and having regard to policy E12 of the North Tyneside Unitary Development Plan 2002.

24. Notwithstanding Condition 1, the lighting scheme agreed under 16/00280/COND pursuant to planning permission to prevent light spillage into the areas designed primarily for Sustainable Urban Drainage Systems and wildlife shall be installed in accordance with these approved details and thereafter permanently retained unless first agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to encourage biodiversity and having regard to policy E12 of the North Tyneside Unitary Development Plan 2002.

25. Notwithstanding Condition 1, the development hereby approved shall be carried out in accordance with the interim water contamination measures agreed under 15/01782/COND pursuant to planning permission 14/00666/FUL to prevent contamination and pollution to watercourses and ground water sources.

Reason: To prevent contamination of local watercourses and having regard to policy E12 of the North Tyneside Unitary Development Plan 2002.

26. Notwithstanding Condition 1, the 10% energy reduction agreed under 16/00583/COND pursuant to planning permission 14/00666/FUL shall be implemented in accordance with these agreed details.

Reason: In the interest of sustainable development having regard to government policy within the NPPF.

27. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase above damp proof course level full details of the soft landscape

proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:

Fully detailed planting plans;

Written specifications including cultivation and other operations associated with plant and grass establishment;

Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, the species must not increase bird strike risk;

Implementation timetables.

Thereafter the development shall take place in accordance with the approved details.

Any trees or plants which within a period of five years from the completion of the final 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 approval to any variation.

Reason: In the interest of visual amenity and biodiversity and having regard to policy H11 and E12 of the North Tyneside Unitary Development Plan 2002

28. Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course level details of the acoustic screening to be provided to the northern and western boundary of the development site must be submitted and agreed prior to the occupation of the housing and implemented on approval of the local Planning Authority, and thereafter retained.

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

29. Notwithstanding Condition 1, prior to the construction of any dwelling within each phase above damp proof course levels details of all materials and surfacing materials, including visitor parking bays, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development in phase 1 shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory appearance having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

30. All construction works to conform with (see BS5837: 2012 Trees in Relation to Construction-Recommendations) in relation to protection of existing boundary trees, hedgerows and shrubs.

Reason: In the interest of protecting existing vegetation having regard to Policy E14 of the North Tyneside Unitary Development Plan 2002.

31. Prior to the operation of cranes over 45m 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.

32. Notwithstanding Condition 1, prior to the commencement of any development within Phase 1, details of the bus shelters to the A189 layby and a timescale for their implementation shall be submitted to and approved in writing by the local planning authority in consultation with Nexus. Thereafter the bridges shall be constructed only in accordance with these approved details and timescales.

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

33. Notwithstanding the Surface Water Management Plan submitted, this scheme shall be amended to include details of the management company. These details shall be provided prior to the occupation of the first dwelling. Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: In the interests of surface water management having regard to NPPF.

34. The development permitted by this planning permission shall only be carried out in accordance with the following mitigation measure detailed within the submitted Flood Risk Assessment (FRA):

1. Limiting the surface water run-off generated by the site to the existing greenfield run off rate of 138 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To limit to risk of flooding and having regard to government policy within the NPPF.

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

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic,

social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

## **Informatives**

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

Contact ERH Construct Highway Access (I05)

Contact ERH Path Bridleway Xs Site (I07)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Advice All Works Within Applicants Land (I29)

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

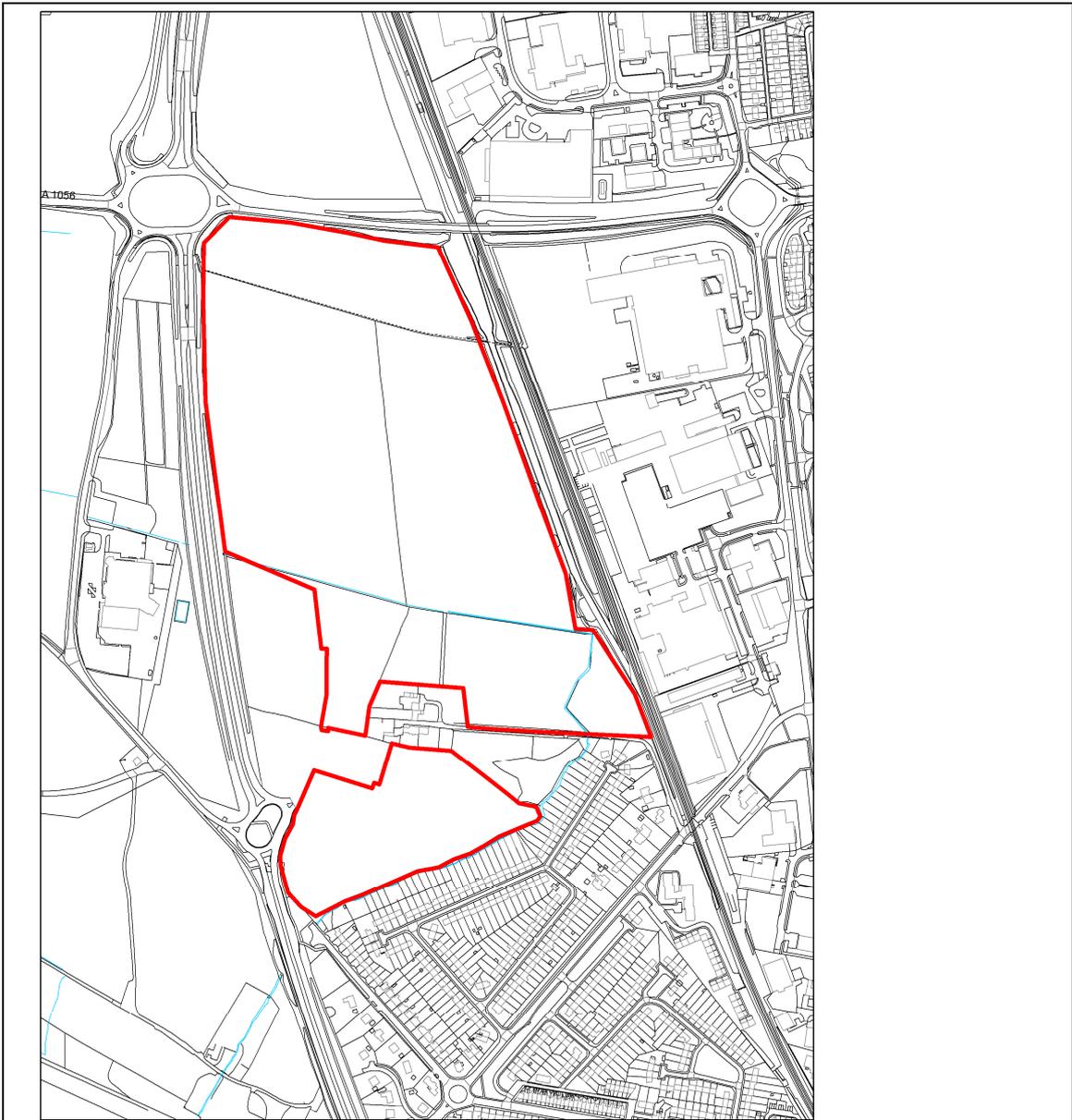
Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

Free and full access to the Public Right of Way network is to be maintained at all times. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer. Prior to the commencement of works and upon the completion of the development the developer shall contact the council's Public Rights of Way Officer to enable a full inspection of the routes affected to be carried out. The developer will be responsible for the reinstatement of any damage to the network arising from the development. The developer is advised to contact the council's Public Rights of Way Officer to discuss connectivity to the site into the surround Public Right of Way network.

The applicant will be required to formally close/divert all Public Rights of Way within the site that are no longer required or require temporary closures/diversions under Section S247/257 of the Town & Country Planning Act 1980.

No utilities or drainage should be located within the root protection areas of the hedgerows and trees. Where installation or alteration to existing underground services has been agreed near or adjacent to the hedgerows or trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).



**Application reference: 16/01316/FUL**

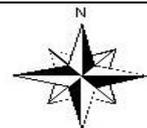
**Location: Land At, Whitehouse Farm, Station Road, Killingworth**

**Proposal: Residential development for 384 dwellings, landscaping and open space (Amended redline boundary to remove previously approved landscaping areas and SUDs 13.9.16, amended house types and plans 31.10.16)**

Not to scale

Date: 24.11.2016

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**Appendix 1 – 16/01316/FUL**  
**Item 1**

**Consultations/representations**

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 This planning application is for a residential development for 384 dwellings, landscaping and open space. Permission was previously granted on appeal for 366 dwellings and ancillary commercial development (11/02337/FUL). This consent has been partially implemented with a total of 43 dwellings in Phase 1 already committed and under construction. The total number of dwellings on site including this application and the committed units will be 427.

1.3 A Transport Assessment (TA) was submitted as part of the original planning application that analysed junctions in the vicinity of the site as well as the proposed site access and the following off site highway works were agreed:

-Introduction of traffic signals with Toucan crossing facilities at the existing A1056 Sandy Lane/A189 roundabout junction.

-Provision of a signalised Pegasus crossing across the A189 south of the A1056 Sandy Lane/A189 junction.

-Provision of a new signalised roundabout junction at the proposed site access where it joins the A189.

-Provision of a signalised Pegasus crossing across the A189 south of the proposed site access.

-Introduction of traffic signals at the existing A188 Benton Lane/A189 Salters Lane/B1505 Benton Lane roundabout junction (West Moor roundabout).

1.4 In addition the developer also agreed to Section 106 payments totalling £90,935 to contribute to potential improvement schemes at the two junctions listed below:

-A188 Benton Lane/Quorum/Balliol Business Park roundabout (£10,385)

-A188 Benton Lane/Goathland Avenue/West Farm Avenue roundabout (£80,550)

1.5 Following consultation with officers from Newcastle City Council a sum of £206,628 was also agreed as a contribution towards improvements at Haddricks Mill junction.

1.6 Since the original application, the site access has been completed and the works to junctions on the A188 corridor to Four Lane Ends have also been carried out as part of a separate Department for Transport Pinch Point Bid. The £90,935 S106 money contributed to these improvements. These monies have been paid and will therefore not be sought as part of this application. The contributions towards the maintenance of the bridges within the site and towards Haddricks Mill will still be secured as part of the original S106 Agreement.

1.7 A Travel Plan (TP) was also submitted as part of the application. The TP aimed to reduce the amount of vehicle trips associated with the site by 5% through the introduction of the following measures:

- Provision of shuttle bus between the site and Four Lane Ends interchange for a period of two years.

- Provision of a car club for based on site for use by new residents.

- Provision of car clubs at Quorum and Cobalt Business Parks to offset vehicle trips relative to the development.

- Welcome packs for new residents to promote walking and cycling routes and public transport.

- Provision of a voucher for up to two, two week free bus passes per dwelling.

1.8 A Travel Plan coordinator will be appointed prior to occupation and for a period of five years after the development is completed. Council officers will regularly monitor the TP and if targets are not met penalties will be invoked which will be ring fenced for enhanced or alternative sustainable travel measures for the site by way of a bond totalling £100,000. This bond is secured through the original S106 Agreement.

1.9 Furthermore the developer negotiated with the bus operators and they have agreed to divert the services X7 and X8 onto the A189 to improve their timings on the basis of the junction improvements outlined previously.

1.10 As part of the current application a Transport Statement (TS) and addendum to the Travel Plan (TP) were submitted. The TS concluded that no further off site highway improvements were required given the significant amount of infrastructure agreed in the original approval.

1.11 The layout of the new application has been designed in accordance with current standards in terms of road and footpath widths, turning areas etc. and provision has been included for bus stops in the site to accommodate the shuttle

bus. Parking has also been provided in accordance with the standards set out in LDD12 and provision for the storage of cycles has been provided throughout.

1.12 For the above reasons outlined above and on balance we recommend that the application be approved subject to conditions.

1.13 Recommendation - Conditional Approval

1.14 The applicant will be required to enter into a Section 278 Agreements for the following works:

-Provision of traffic signals at the junction of the A1056 Sandy Lane/A189 roundabout junction.

-Provision of signalised Pegasus crossing facilities south of the A1056 Sandy Lane/A189 junction.

-Provision of part time traffic signals at the existing A188 Benton Lane/A189 Salters Lane/B1505 Benton Lane roundabout junction (West Moor roundabout).

1.15 The applicant will be required to formally close/divert all Public Rights of Way within the site that are no longer required or require temporary closures/diversions under Section S247/257 of the Town & Country Planning Act 1980.

1.16 Conditions:

ACC17 - Exist Access Closure: Misc Points, By \*6 months

ACC25 - Turning Areas: Before Occ

ACC27 - Traffic calming measures to 20mph

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

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT05 - Construction Management

Prior to works commencing a scheme for the provision of secure undercover cycle parking/storage 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.

The Travel Plan as submitted shall be carried out as agreed with the Local Planning Authority. This will include an undertaking to conduct travel surveys to

monitor whether or not the Travel Plan targets are being met. The measures included will as follows:

-Provision of shuttle bus between the site and Four Lane Ends interchange for a period of two years.

-Provision of a car club for based on site for use by new residents.

-Provision of car clubs at Quorum and Cobalt Business Parks to offset vehicle trips relative to the development.

-Welcome packs for new residents to promote walking and cycling routes and public transport.

-Provision of a voucher for up to two, two week free bus passes per dwelling.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

Notwithstanding those details of the bridges already submitted, prior to commencement of development, details of the final design for the two bridges hereby approved shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority and the local biodiversity officer. Thereafter the bridges shall be constructed only in accordance with the approved details.

Reason: In the interests of highway safety

1.17 Informatives:

I05 - Contact ERH: Construct Highway Access

I07 - Contact ERH: Footpath/Bridleway X's Site

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dvlpt

Free and full access to the Public Right of Way network is to be maintained at all times. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer.

Prior to the commencement of works and upon the completion of the development the developer shall contact the council's Public Rights of Way

Officer to enable a full inspection of the routes affected to be carried out. The developer will be responsible for the reinstatement of any damage to the network arising from the development.

The developer is advised to contact the Council's Public Rights of Way Officer to discuss connectivity to the site into the surround Public Right of Way network.

#### 1.18 Lead Local Flood Authority

1.19 This planning application is for a residential development for 384 dwellings, landscaping and open space. Permission was previously granted on appeal for 366 dwellings and ancillary commercial development (11/02337/FUL).

1.20 A Flood Risk Assessment (FRA) was submitted as part of the planning application that analysed various flooding scenarios that could be associated with the site. The site is located in Flood Zone 1 (low risk) and flood risk from all sources except for surface water flooding are considered to be low. The site has suffered from surface water flooding in the past and as such measures will be introduced to minimise this risk.

1.21 The outline surface water drainage strategy will attenuate surface water within the site before discharging into an existing watercourse. The attenuation will cater for a 1 in 100 year storm plus a 30% allowance for climate change.

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

#### 1.23 Recommendation - Conditional Approval

1.24 Condition: Notwithstanding the Surface Water Management Plan submitted, the scheme shall include details of the management company. Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: In the interests of surface water management having regard to NPPF.

#### 1.25 Strategic Housing Manager

1.26 Off site commuted sums are used by the authority to continue to increase affordable homes supply across the borough. Whilst we encourage developers to provide onsite affordable housing, where this is not possible we ensure that the commuted sum is used by the authority to provide affordable homes in order to meet demand across the borough.

#### 1.27 Ecology Officer

1.28 I do not have any objection to the above application to increase the number of units on this site, subject to the following:-

- All agreed landscaping for SUDs, perimeter landscaping and central landscaping remaining the same.
- Discharge rates from the revised development into the SUDs system remaining unchanged. The Councils drainage engineer should be consulted on this and agree the final discharge rates.
- An increased contribution (through legal agreement) to be paid to the Natural History Society of Northumbria (NHSN) to address the impacts of increased numbers of houses on Gosforth Park Nature Reserve. This sum has been calculated at £2,349.

### 1.29 Environmental Health

1.30 I have reviewed the submission from the applicant that refers to the noise scheme and the air quality assessment. This has concluded that there is no change to the mitigation measures proposed as part of this application from the original planning consent 11/02337/FUL. I note that although the site is to include for a slight increase in dwellings there will be no commercial development as part of this development.

1.31 I have viewed the boundary treatments plan and would have concerns on the use of close boarded fencing, it will be necessary for double boarded fencing to be provided to ensure long term integrity of the acoustic fencing for those properties located on the western and northern boundary of the site.

1.32 If planning consent is to be given I would recommend the following conditions:

Submit and implement on approval of the Local Planning Authority a noise scheme in accordance to noise and vibration chapter 10 of the environmental statement reference HK/NJD/NT12747/0004 providing details of the acoustic window glazing and ventilation to be provided to habitable rooms, to ensure bedrooms meet the good internal standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 30dB LAeq as described in BS8233:2014.

Details of the acoustic screening to be provided to the northern and western boundary of the development site must be submitted and agreed prior to the occupation of the housing and implemented on approval of the local Planning Authority, and thereafter retained.

SIT03

HOU04

### 1.33 Contaminated Land Officer

INIT

1.34 Please refer to my previous comments relating to this site:

For Gas 15/02035/COND

For land contamination 14/01149/COND

### 1.35 Design

1.36 The application represents additional houses with a revised design approach for a large part of the Whitehouse Farm site. The first phase of development is already under construction and is relatively contemporary in design whereas the design of new dwellings takes a more traditional design approach. It is important that the whole site ties together to form an attractive and well designed development. The revised house types address previous concerns in relation to this and now demonstrate a more contextual design approach which will sit well next to the first phase of development under construction.

1.37 The Poplar V1 house type has a Georgian 'portico' entrance detail. It is recommended that this is replaced with a simpler entrance feature such as that seen on the Poplar V3. This would provide a more consistent design approach with the other house types and a better street scene.

1.38 The elevation style and materials proposed in the application integrate as best as possible with the existing phase of the development currently under construction. There will be a small number of dwellings with white windows in isolation from the rest of the development which will have anthracite windows. While this is not ideal, the overall impact will, hopefully, be minimal.

1.39 The house types and materials emphasise key views and corner plots which help to provide navigation points through development.

1.40 The increase in the number of units results in an additional need for car parking which, in some places, encroaches into areas of open space and the street scene. As previously advised, to help visually mitigate this, visitor car parking bays should be surfaced in concrete blocks to contribute towards a well balanced and attractive street scene. This can be conditioned.

### 1.41 Landscape Architect

### 1.42 Existing Site Context

1.43 The proposed development site comprises of approximately 27 hectares of mainly arable fields, also containing the existing farmhouse development of Whitehouse Farm. This is located in the southern section of the site, having now been converted into residential dwellings. The site is located on the borders of a number of existing settlements, with West Moor, Killingworth and Camperdown positioned close to the site boundaries. The Gosforth Park and its recreational

facilities are located close to the western edge of the site and to the south by the residential properties in Whitecroft Road.

1.44 The proposed site is also well connected to the local and wider road network, with the A1056 bordering the northern fringe area and the B1319 following the full length of the western boundary. The site incorporates a number of footpaths and bridleways that are vital to the wider pedestrian and cycle network. Tree cover within the proposed site is minimal with only 4 individual trees of note but the area benefits from a number of existing landscape features and established wildlife corridors as well as the historical grain of the existing hedgerow pattern. These mature hedgerows, along with a linear band of trees on a raised bund running adjacent to the rail corridor and linear tree screens along the northern boundary with A1056 and within the verge of the A189, offer the only significant shelter and noise attenuation elements that the site has to offer.

1.45 There are a several statutory designated areas to the west of the site, with Gosforth Park and the Gosforth Park Nature Reserve, which is a private SSSI (Site of Special Scientific Interest).

#### 1.46 Landscape Comments (Trees and Landscape Design)

1.47 It is important that the landscape design will seek to integrate, preserve and enhance the existing (native) hedgerows and perimeter planting within the landscape structure of the site layout so they become an intrinsic and key landscape feature of the proposed development.

1.48 Some of the comments below may have been addressed at some level already in the submitted documents. Any further comment by the author of this report therefore is intended to reinforce the aspiration and/or importance of these key design points.

#### 1.49 Internal Landscape Features And Treatment

1.50 The submitted document (Boundary Treatment Plan) shows the proposed access road system/cycleways within the site following the course of the existing hedgerow pattern. This is understandable in terms of the circulation issues and the access necessities of the proposed design. However an adequate stand off distance must be maintained throughout the proposed development so that the established hedgerow alignments sit within linear open space bordering them, as they also remain a valuable feature of the site biodiversity within the context of the wildlife corridors. There are opportunities for the hedgerow alignments to contain more 'hedgerow trees' (Ash/Oak species) along their course, to mitigate and accentuate the breaks, to facilitate the road system. This appears to have been achieved to an extent but it is also important where the perimeter landscape structure meets the hedgerow alignments so that the corridor effect and link is not broken. This has occurred in the northwestern corner of the site, where the

submitted document (Boundary Treatment Plan) shows a 'widened gap' between the existing hedgerow line and the perimeter planting structure, to facilitate the proposed road layout. It is preferable that even though the physical manifestation of the hedgerow has been broken that a visual link of the hedgerow alignment be maintained. This can be achieved by either continuing the hedgerow alignment, utilising island (hedgerow) planting, where large breaks have occurred and/or the beefing up and relaying of sections that have been also been breached over time.

1.51 In the submitted document 'Design And Access Statement' (DAS) Landscape Design 9.0; opportunities for the choice of larger and medium sized (native) tree species exist within the proposed Pocket Parks, Village Square, SUDS and perimeter run-out areas within the development. To reinforce the ambition of the (DAS) the choice of 'Forest Scale' tree size in these areas should compliment the scale and species of the adjacent Gosforth Park and surrounding arable and urban/rural fringe areas. The aspiration of the submitted document (DAS) reflects the use of smaller (native) species, where appropriate. To underline this aspiration the planting design also needs to maintain and build form within the canopy level hierarchy and so contributing to the overall immediate and wider local landscape structure and character.

#### 1.52 Perimeter Landscape Design

1.53 The existing perimeter landscape structure consists of woodland structure planting and/or hedgerow field boundaries, which provide both shelter and noise attenuation qualities. They also link to the internal site hedgerow pattern and wildlife channels and corridors providing the site area with most of its biodiversity and landscape sense of place.

1.54 The site perimeter is generally served well in this context with the existing landscape elements, however it does require some additional structure planting and screening in places. This should consist of both woodland and hedgerow provision and/or reinstatement works to close off or strengthen these gaps, particularly along the south and western perimeter(s). Any new planting proposals should link to the hedgerow structure of the area as detailed above.

#### 1.55 Sustainable Water Systems (Ponds And Aquifers)

1.56 The project Landscape Architect(s) and Ecologist(s) should consider the concept of pond shape(s) within the context of the ecological requirements relating to both habitat creation and discrete public access. The balance between the two can be achieved through safe and appropriate design, utilising boardwalks, jetties, marginal planting and other forms of safe shoreline interaction and/or activity areas.

1.57 Advisory Note: Landscape Architecture: A guide for clients is a free LI publication on this subject and also other relevant Landscape Institute publications.

#### 1.58 General Advice Notes:

The Contractors site access and set up area are to be submitted for approval prior to commencement of any proposed works. No site storage or parking of (plant) vehicles to be located within the root protection area of any tree or hedgerow in the area or adjacent to the boundary of the proposed development area.

No utilities or drainage should be located within the root protection areas of the hedgerows and trees. Where installation or alteration to existing underground services has been agreed near or adjacent to the hedgerows or trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).

All construction works to conform with (see BS5837: 2012 Trees in Relation to Construction-Recommendations) in relation to protection of existing boundary trees, hedgerows and shrubs.

#### 2.0 Representations

2.1 Seven letters of objection have been received. The comments are summarised below:

- Adverse effect on wildlife.
- Affect Site of Special Scientific Interest.
- None compliance with approved policy.
- Traffic congestion.
- Increase in proposed developments will have an adverse affect on the wildlife corridor that is directly adjacent to it.
- Additional increase in traffic will be enough to create unwanted extra impact on the roads, despite improvements being made to the network.
- Affect character of conservation area.
- Impact on landscape.
- Loss of privacy.
- Loss of visual amenity.
- Loss of/damage to trees.
- Nuisance: disturbance, dust, dirt.
- Pollution of watercourse.
- Within greenbelt/no special circumstance.
- Large trees, supposed to be protected, have been lost.
- When the first plans were submitted, it was considered that this was the thin end of the wedge and more extensive development would follow.
- Affect conservation area.

- Not in accordance with development plan.
- Inappropriate design.
- Out of keeping with surroundings.
- Precedent will be set.
- Will result in visual intrusion.
- Told the development would be akin to Wynyard however, the scheme has been progressively amended to increase density, reduce plot size and increase the population.
- Detrimental to existing residents as added pressures to existing facilities and community facilities.
- A reasonable planning system would enforce the original proposal as the maximum development limit.
- Rigid enforcement of the conditions is required.
- Who will benefit from the S106 contributions?
- Highway will be affected by another 1000+ vehicles.
- The original planning for the whole of this development was fiercely contested from the beginning by local residents and was, at the time, supported by the council. The objection was overturned at Government level.
- This new request seems to be a gross manipulation of what had been set out previously in the planning.
- I protest, strongly, at what appears to be a total lack of regard for the opinions of ordinary people, and authorities just giving way to the demands of the developers.

People in authority need to look into the future and see the importance of what they are sowing now can have a dangerous impact on the future well being of people.

Green open spaces impact on our mental health.

-This ancient verse is just as true today:-

-Being MD of the factory in the middle of the proposed development I am severely concerned. We are a 24 hour operation with production, warehousing and transport activities throughout the night. I cannot imagine given the proximity of the proposed development that residents would be happy with noise, traffic and flood lights during the night. We are not able to change our working hours.

### 3.0 External Consultees

#### 3.1 Natural England

3.2 Given the changes to this proposal regarding the red line boundary, and the omission of the SUDs area that was subject of our previous concerns Natural England now does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.

3.3 The lack of case specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process.

3.4 Protected species – Where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the LPA should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05).

3.5 Natural England has produced standing advice, which is available on our website Natural England Standing Advice to help LPA's to better understand the impact of particular developments on protected or BAP species should they be identified as an issue. This standing advice also sets out when, following receipt of survey information, LPA's should undertake further consultation with Natural England.

3.6 Local Wildlife Sites – If the proposed site is on or adjacent to a LWS e.g. Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the LWS, and the importance of this in relation to development plan policies, before it determines the application.

3.7 Biodiversity enhancements – This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting features for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant planning permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

3.8 Landscape enhancements – This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it

makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

3.9 If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 20026, please consult Natural England again.

### 3.10 Historic England

3.11 Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

3.12 Recommendation: The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

3.13 It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

### 3.14 Northumbrian Water

3.15 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.

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

3.17 We recognise that the developer has liaised with Northumbrian Water through the Section 104 Sewer Adoption process and that the first phase has been agreed, however drainage details for the additional units beyond the initial phase have not yet been agreed. We recommend that the developer continues to liaise with our project manager, Graeme Telford, regarding the proposed development. As the planning application at present 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:

Condition: 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.

### 3.18 Tyne and Wear Archaeology Officer

3.19 An archaeological desk based assessment was undertaken in October 2010.

3.20 A geophysical survey was carried out shortly afterwards. The survey identified a number of anomalies which could potentially be archaeological in origin.

3.21 Evaluation trial trenching was carried out in November 2011 to test the results of the geophysical survey. This report has not been uploaded onto the planning portal. It should be submitted for completeness. 32 archaeological trenches were excavated. The trenching recorded medieval ridge and furrow and a couple of post medieval field boundaries. The other geophysical anomalies were found to relate to changes in the natural geology.

3.22 Fieldwalking was undertaken in 2016. The purpose of fieldwalking is to collect artefacts such as potsherds which have been turned up by the plough. 48 artefacts were collected. These included 5 worked flints of likely Mesolithic (4000 to 10,000

BC) date, 4 medieval potsherds and 2 fragments of ceramic roof tile and two cloth seals. A 17<sup>th</sup> century silver coin of Philip IV of Spain from the Netherlands was also found.

3.23 No further archaeological work is required on this site.

### 3.24 Newcastle International Airport (NIA)

3.25 The application has been assessed by the aerodrome safeguarding team and I have the following comments to make.

3.26 It is noted that the application has adjusted the redline boundary for the application excludes previously approved SUDS and landscaping. It is considered that here is therefore not a need for Bird Strike Risk Assessment. However the site is close to the approach and departure flight path for the airport, and therefore for planting in the areas of public space amongst the housing, as well as in private gardens, it is recommended that certain species should be avoided. Certain types of tree and hedge provide a food source for birds and therefore heighten the risk of strike occurring. It is recommended that, ideally, the following species do not form part of the planting scheme, or at the most make up

less than 10% of the on-site planting and are spread throughout the development

-

<i>Berberis spp</i> Barberry	<i>Ilex aquifolium</i> Holly
<i>Cotoneaster</i>	<i>Sorbus aucuparia</i> Rowan
<i>Crataegus monogyna</i> Hawthorn	<i>Viburnum</i>
<i>Aucuba</i>	<i>Pernettya</i> Prickly Heath
<i>Buddleia</i> <sup>1</sup>	
<i>Prunus avium</i> Wild Cherry	
<i>Callicarpa</i> Beauty Berry	<i>Pyracantha</i> Firethorn
<i>Chaenomeles Japonica</i>	<i>Rhus</i> Sumac
<i>Clerodendrum</i>	<i>Ribes</i> Ornamental Currant
<i>Danae</i> Butcher's Broom	<i>Rosa canina</i> Dog Rose
<i>Daphne</i>	<i>Sambucus nigra</i> Elder
<i>Euonymus</i> Spindle	<i>Skimmia</i>
<i>Hypericum</i> St John's Wort	<i>Stranvaesia</i>
<i>Lonicera</i> Honeysuckle	<i>Symphoricarpus</i> Snowberry
<i>Mahonia</i>	<i>Taxus</i> Yew
<i>Malus</i> Crab Apple	

3.27 At this location, south of the final approach flightpath, there is not a concern that photovoltaics would present a safety risk to aircraft on final approach to the airport through glare of pilots. There is therefore not a need to revoke relevant permitted development rights. It is also considered that the other proposed material finishes do not present a risk of glare.

3.28 The main concern for the airport would be the operation of cranes during construction. Any crane used on site over 45m has the potential to be hazardous to light aircraft approaching their final ascent into the airport. Therefore the operation of any crane above this height should only be done so after notifying air traffic control and receiving consent from air traffic control. The developer should provide ATC with the location, height, duration, and detail of lighting when operating.

### 3.29 The Coal Authority

3.30 The Coal Authority has no observations to make on the proposed development.

### 3.31 Highways England

3.32 No objection.

### 3.33 Natural History Society of Northumbria

3.34 We object to this application, Bellway submitted a planning application for over 400 units on this site in the past, which was refused by North Tyneside

Council. Having been defeated they changed tactic and proposed a much smaller executive housing scheme to meet a need that had been identified by the Council. This was approved at appeal.

3.35 The local community (and officers at the Council) always believed that Bellway's tactic would be that once planning permission had been granted for the executive scheme that they would resubmit to increase the number of units on the site to the level they had originally aimed for – i.e. not executive at all.

3.36 We raised this probably at the appeal and they denied they would submit an application to increase the housing units. This clearly was a lie.

3.37 We are objecting because we believe that the original planning application would not necessarily have been approved with this level of housing – and therefore should not be now, just because an inspector approved the principle of development on the site. We do not believe that the revised scheme would have classified as executive, this meeting the identified need. The proposed scheme is no different from others being built in this area (e.g. Newcastle Great Park) and is thus, by definition, not “executive”.

3.38 There have been no significant changes in the local economy or housing demand since the original application/appeal and so we can see no justification for abandoning the executive housing originally planned.

3.39 We also object because the transport assessment does not include the cumulative traffic impacts on the A189 in light of the application Persimmon Homes to construct initially 238 houses (plus likely another 100) on a site on the A189 only half a mile away (that is allocated for employment uses and therefore transport modelling has not taken into account additional transport that housing would generate).

3.40 In addition, the application assumes no additional ecological impact as the revisions would be achieved on existing development footprint. However, Bellway have forgotten that one of the impacts from the development is the indirect impacts on Gosforth Park Nature Reserve. This was mitigated for in the original application by allocating a sum of money to:

- Install a new boundary fence for the nature reserve.
- Provide 1 year's free membership of the reserve to new households in order to improve their appreciation of the ecology.
- A visit to all properties to talk to residents about not feeding grey squirrels and the ecological sensitivity of Gosforth Park and to produce a leaflet to leave with households.
- Grey squirrel control.

3.41 The amount of money allocated for points 2 and 3, above were based on the number of housing units. As the number of units would be set to increase if this application is approved then there would be a corresponding impact on Gosforth Park and so the S106 contribution would also need to be increased accordingly.

3.42 By our calculations the S106 contribution for 2 and 3 would need to increase from £12, 250.00 to £14, 599.00 (i.e. difference of £2, 349.00).

### 3.43 Nexus

3.44 Following a review of the documents included in the application Nexus submits this response to North Tyneside Council and requests that conditions are attached to any planning consent.

3.45 In the Residential Travel Plan there are several points made in section 14 and Nexus provides the following comments and suggests that the Residential Travel Plan be updated:

“14.3. As per the Nexus Planning Liaison Policy, Nexus requires that the developer provides two four-weekly Network One travel passes per dwelling.

14.4. The travel plan co-ordinator should include Nexus in discussions regarding “upgrades/improvements to the existing bus stops close to the site”. The bus stops on the A189 would benefit from shelters as they would serve better the new community, the surrounding businesses and adjacent established residents with direct transport links. The supply of these shelters could be at the possible reduction in the number of those intended for inside the development.

14.5. The cycle lockers at Four Lane Ends interchange no longer require a key as they are now enabled to be used with a Pop card. Users would need a Pop card to access the cycle lockers therefore enabling them to secure their bikes before paying for onward travel using their Pop card. Information on how to buy a Pop card can be found at [www.nexus.org.uk/pop](http://www.nexus.org.uk/pop)

14.6. Due to service changes made by commercial operators the information in this paragraph is no longer correct. The X5/X6 services referred to no longer operate and have been replaced by the services X7 and X8.”

3.46 Nexus commends the developer for the provision of a shuttle bus service to improve accessibility to the proposed development and the inclusion of three new bus stops with shelters within the development site.

### 3.47 Northumbria Police – Architectural Liaison Officer

3.48 In considering this I have particularly looked at the overall layout, the proposed boundary treatments and the Design and Access statement.

3.49 Firstly I can see some positives from the layout in that the units have been grouped so that rear gardens, where possible, back onto each other giving more security to them, parking is largely in-curtillage or in garages and units have been arranged so that they give surveillance over the street scape in particular at junctions.

3.50 What is disappointing, as usual, is the lack of information regarding security both of the site in general but more importantly the individual units themselves.

3.51 In the conclusions at the end of the D&A it talks about “the development embraces the core principles of Secured by Design with all routes overlooked and good levels of surveillance”. I have already mentioned that as a positive but it is by no means the be all and end all of Secured by Design (SBD). One of the more important aspects of SBD is the physical security of the dwellings and sadly there is no mention of this throughout the D&A. In 2015 Approved Document Q (ADQ) came into operation and one of the key points of this document is that security now falls under building control. It also advises that all new dwellings should have doors and windows that meet PAS 24: 2012 fitted. This is the minimum specification for doors and windows to meet SBD. It therefore follows that if these doors and windows are fitted and the other points of SBD Part 2 are met then the development will be awarded some form of SBD certification and it also follows that if SBD certification is gained then building control requirements will be met. Sadly though none of this is mentioned in the D&A this is in spite of several meetings over the years with the applicant and assurances from them that this will be addressed.

3.52 In conclusion I have no objections to this application but urge the planning dept to push the applicants to incorporate ADQ requirements into the scheme and to encourage the applicant to apply for SBD certification for this scheme. If this is done it will also mean that the council are fulfilling their requirements under S17 Crime and disorder act 1998 in that they are taking steps to work with partners (i.e. the police) to prevent crime and to reduce the opportunities for crime to occur.

### 3.53 Northumberland County Council

3.54 The Council, in its comments on the North Tyneside Presubmission Local Plan last autumn, supported its overarching aims for growth; and, so long as the North Tyneside Plan recognised the element of net migration into Northumberland, this Council implicitly supported the balance between employment and housing, as set out in the Presubmission Draft.

3.55 We note that the application site is part of a hybrid application that was granted permission on appeal some three years ago and that, as such, the

principle of housing has been accepted on the site, as has the deletion of the concept of a 'Killingworth Open Gap' in this location (in effect the removal of the 'safeguarded' status. Furthermore we note that, in the Presubmission draft of the North Tyneside Local Plan (now submitted), an assumption is made that the order of housing now being proposed on the site will contribute towards the housing supply during the Plan period.

3.56 The Council therefore has no further comment to make on the principle of this order of housing in this location.

3.57 When assessing the impact of a development proposal as a cross-boundary application, we consider the impacts on the highway network within Northumberland only. The development site is approximately 3km south of the Northumberland highway network; therefore any impacts will be limited to those associated with the increase in traffic from the development. The site benefits from an extant planning permission and therefore the increase in traffic associated with the development is related to the change in development from the extant permission.

3.58 The submitted traffic flow diagrams as part of the Transport Statement show that the level of additional traffic over that already consented travelling to/from the Northumberland would be minimal, Therefore, there are no issues that arise from the proposals onto the Northumberland highway network.

3.59 I hope these comments are of assistance and want to clarify that these are comments and are not an objection or support for the proposals.

### 3.60 Newcastle City Council

3.61 No objection.