

Item No: 5.2
Application No: 16/01889/FUL Author: Aidan Dobinson Booth
Date valid: 25 November 2016 ☎: 0191 643 6333
Target decision date: 24 February 2017 Ward: Weetslade

Application type: full planning application

Location: Land East of Salters Lane, Longbenton, NEWCASTLE UPON TYNE

Proposal: Residential development of 200 new homes (including 50 new affordable homes, access, gardens, car parking, landscaping and amenity space and associated infrastructure)

Applicant: Avant Homes and Mr G Oliver, Avant Homes (North East) Investor
Colima Avenue Sunderland Enterprise Park Sunderland SR5 3XB

Agent: George F White LLP, FAO Miss Stephanie Linnell 4-6 Market Street
Alnwick NE66 1TL

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1. Main Issues

- 1.1 The main issues for Members to consider in this case are;
- Whether the principle of residential development is acceptable on this site;
 - The impact of the proposal upon the character and appearance of the surrounding area.
 - The impact upon neighbouring businesses and whether an acceptable residential environment can be provided for future occupiers.
 - Whether sufficient parking and access would be provided.

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

2. Description of the Site

2.1 The application site measures approximately 8.44 ha of arable land. The site is Greenfield. The site boundaries consist of hedges, semi mature trees and fencing. Beyond these the site is bounded to the east by a public right of way and cycle route which runs north-south, adjacent to this is the East Coast Mainline. To the east of the site beyond the East Coast Mainline is Camperdown Industrial Estate. The A1056 (Killingworth Lane) lies to the south of the site, beyond which is the new residential housing development of Whitehouse Farm.

The A189 (Salter's Lane) bounds the site to the west. To the north the boundary is formed by an open drainage ditch beyond which is a small area of vacant grassland which is in turn bounded by the Seaton Burn Wagonway (Reivers Cycle Route – National Cycle Network Route 10).

3. Description of the proposed development

3.1 The application seeks full planning permission for the development of 200 new homes (including 50 new affordable homes, access, gardens, car parking, landscaping and amenity space and associated infrastructure). The proposal would have the following dwellings mix:

2 bedroom dwellings 25 (12.5%)

3 bedroom dwellings 92 (46%)

4 bedroom dwellings 83 (41.5%)

4. Relevant Planning History

16/01615/SCREIA – Residential development of approximately 160-180 new homes, including affordable housing.

No environmental assessment required 23.11.16.

5. Development Plan

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.

6. Government Policy

6.1 National Planning Policy Framework (March 2012)

6.1 National Planning Policy Guidance (March 2014)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the determination of this application. It requires local planning authorities to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the National Planning Policy Framework.

PLANNING OFFICERS REPORT

7. Main Issues

7.1 The main issues for Members to consider in this case are;

- Whether the principle of residential development is acceptable on this site;
- The impact of the proposal upon the character and appearance of the surrounding area.
- The impact upon neighbouring businesses and whether an acceptable residential environment can be provided for future residential occupiers of the proposed housing.
- Whether sufficient parking and access would be provided.

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

7.3 Principle

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

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

7.6 In relation to housing, NPP states that the Government's key housing objective is to increase significantly the delivery of new homes.

7.7 The current development plan is out of date. The North Tyneside Unitary Development Plan was adopted in March 2002, 15 years ago. The plan period in terms of providing housing ran until 2006 and we are not significantly (10 years) beyond this. Following the advice in paragraph 14 of the NPPF it states that where the development plan 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 the benefits, when assessed against policies in the NPPF taken as a whole or specific policies in the Framework indicate that the development should be restricted. Given the development plan is out of date the presumption in favour of sustainable development applies.

7.8 The site is immediately adjacent to the edge of the existing built up area. It is officer advice that it is sustainable. It is no less sustainable than Whitehouse Farm, which is currently under construction to the south of this site. Furthermore the employment allocation of Indigo Park is also situated to the west of the site beyond the A189.

7.9 Safeguarded Land

7.10 The application site is allocated as safeguarded land, which is defined as land that may be require for development beyond the plan period according to policy E21 of the UDP. It is not safeguarded from development, but safeguarded for development. The plan period is defined in paragraph 2.2 of the UDP as running to 2006 and therefore we are now significantly (11 years) beyond this. However, this application still represents a departure from that saved policy.

7.11 Policy E21/1 states that development within the area defined as Safeguarded Land will not be permitted unless the following apply;

- it preserved the open nature of the area especially where this dorm part of an important open break between or within the built up areas; and
- It does not adversely affect access for recreation; and
- It will not adversely affect access for recreation and
- It will not cause significant harm to agricultural or forestry operations and
- No alternative site is available.

7.12 Members need to consider whether the proposal would preserve the open nature of the area. It is offer advice that it would result in the development of this area and this would continue the extent of the built development along the A189 corridor set by the Whitehouse Farm new housing estate.

7.13 The proposal would not adversely affect access for recreation, as the site itself is private land and therefore there is no legal public access. The existing access routes to the edge of the site notably the public right of way adjacent to the East Coast Mainline would not be adversely affected and would be able to continue in its current route.

7.14 The proposal would not cause significant harm to agricultural or forestry operations. The agent states that the land is classified as Grade 4 according to the Agricultural Land Classification system. The best and most versatile agricultural land is classified as Grade 1 and 2 or sub grade 3a. Moderate, poor and very poor agricultural land is classified as sub grade 3b or grades 4 and 5. Therefore the development of this site would not result in the loss of the best and most versatile agricultural land.

7.15 UDP policy H5 states that proposals for housing not identified for this purpose will be approved where amongst other matters the proposal is on a previously developed site.

7.16 This proposal would not be on a previously developed site. However, policy H5 is not entirely consistent with the advice in NPPF, which has no such prerequisite for new housing to be on a previously land. It only seeks to “encourage” the effective use of land by re-using land that has been previously developed. Given that policy H5 is not entirely consistent with NPPF; Members should attach less weight to the policy.

7.17 Members should also be aware that the objective of safeguarded land policies was to ensure that at least some of the areas be made available for development beyond the plan period and not to preclude all development for a sustained period.

7.18 The UDP Plan period expired in 2006 and the majority of the existing housing allocations have either been built or are in the process of being built. Though polices E21 and E21/1 are saved policies, they cannot now be given significant weight, as we are now significantly (11 years) beyond the plan period.

7.19 Although the site would be beyond the existing built up area, it would be immediately adjacent to it which is the next most sustainable option.

7.20 Emerging Local Plan & Prematurity

7.21 The emerging Local Plan (Pre-Submission Draft 2015) also identified this site as safeguarded land according to policy S1.7. This policy also states that areas of safeguarded land will be maintained in their open state for at least the plan period. The plan period would run until 2032.

7.22 The Plan however, has not been formally adopted. The Local Plan was recently subject to Examination in Public that concluded in December 2016. The

Inspectors Report is awaited and therefore as the plan has not been formally adopted it still cannot be given full weight.

7.23 The National Planning Practice Guidance (NPPG) advises that arguments that an application is premature are unlikely to justify refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively limited to situations where both:

- a) the development proposed is so substantial or its cumulative effects would be so significant that to grant permission would undermine the plan making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging local plan and
- b) the emerging plan is at an advanced stage, but not yet formerly part of the development plan for the area.

7.24 The emerging North Tyneside Local Plan is at an advanced stage. However, the North Tyneside Local plan Proposed Main Modifications makes provision for the development of at least 16,593 new homes for 2011/12 to 2031/32. This application represents only 1.2% of this overall figure and therefore it is officer advice that the development would not be so substantial nor would its cumulative effects be so significant that granting permission would undermine the plan making process by determining decisions about the scale, location of phasing of new development that are central to an emerging Local Plan.

7.25 North Tyneside 5-Year Housing Land Supply

7.26 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.

7.27 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.

7.28 The September 2016 Strategic Land Availability Assessment (SHLAA) identifies the total potential 5-year housing land 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 4.32 year supply of housing land).

7.29 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. This paragraph also states that 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 the approval

of further planning permissions to achieve and subsequently maintain, its housing supply. Paragraph 49 is also important that it does not represent a maximum, but a minimum requirements and therefore further sites can come forward to provide further choice and competition providing they are sustainable.

7.30 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.

7.31 Living condition for future occupiers and impact on existing businesses

7.32 Paragraph 17 of the NPPF sets out the core planning principle one of which is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.

7.33 Paragraph 123 of NPPF state 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. It also aims to recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

7.34 Policy E3 states that the local planning authority will seek to minimise the impact of pollution on the environment.

7.35 Policy H5 states that proposals for housing development on sites not identified for this purpose will only be approved where amongst other matters the proposal is acceptable in terms of its impact on its site, local amenity, the environment and adjoining land uses.

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

7.37 The applicant has submitted an addendum noise and vibration statement. This is in response to objections that have been received from Entek and concerns raised by the Council's Environmental Health Manager. Additional noise monitoring has been undertaken providing 24 hour data over a seven day period. The additional monitoring identified that all noise levels over the seven day period were lower than the original survey.

7.38 In response to the concerns raised by the Council's Environmental Health Manager two bespoke house types have been prepared from plots 91-96 and 100-106. These have been designed so that all noise sensitive rooms (living rooms, bedrooms and dining rooms) are located to the screened side of the dwelling and therefore removing the need for acoustic ventilation on the windows of these rooms to mitigate industrial noise.

7.38 Environmental Health have been re-consulted on the additional information submitted by the applicant and their further comments will be reported to Planning Committee.

7.39 Contamination

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

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

7.42 The applicant has submitted a Preliminary Geo-Environmental Appraisal Report. This states that the site is located within a Coal Mining Standard Advice Area and the mining risk at the site is generally deemed to be very low. The site is located within a Contaminated Land Buffer Zone and therefore it is considered necessary to attach conditions to mitigate for any gas that may be present.

7.43 Biodiversity

7.44 An environmental role of 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.

7.45 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 of biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.

7.46 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 at least compensated for, then planning permission should be refused.

7.47 The applicant has submitted an Ecological Impact Assessment and Bat Report. The Ecological Impact Assessment states that Gosforth Park Site of Special Scientific Interest is located approximately 1.5km away. It also states that the majority of the site is considered to be of low habitat value; being dominated by an arable field sown with a rape crop. The site boundaries comprise hedgerow to the west and south west, and a fence line to the east and south east. Along the northern boundary a narrow drainage ditch runs and continues west to the A189. Known populations of great crested newt are present within Gosforth Wood Nature Reserve approximately 200m from the site at its closest point. The drainage on the site is below average suitability for

supporting great crested newt and habitats present on site are of low value to the species.

7.48 The applicant's ecologist states that there are no structures present on site with the potential to support roosting bats and the young woodland bordering the site represents negligible bat roosting potential. The majority of the site offers low quality for foraging bats given it is dominated by arable land. The woodland habitat around the periphery of the site will offer better quality foraging and good commuting routes through the site.

7.49 The applicant's ecologist also considered that the site to be low ornithological value, with the potential to support small numbers and a limited range of breeding and non-breeding (wintering) birds, the majority of which will also likely be found throughout the local area.

7.50 The drainage channel to the north of site provides some suitable habitat for water vole, although it lacks habitat suitable for laying up or holt creation by otter. Whilst a residual risk remains the channel may be used by both species to move through the wider area, no detrimental impacts on either species as a result of proposals are anticipated.

7.51 No definitive badger signs or evidence of active setts were observed.

7.52 The Council's Biodiversity Officer has been consulted and initially objected to the proposed development. She states that there is no mitigation for Grey Partridge and Skylark both of which were found to be breeding on the site although in low numbers. She says that she cannot support an application where mitigation has not been provided for the loss of breeding habitat for these species. The plans have been amended and the Biodiversity Officer has been re-consulted. Her further comments will be reported to Planning Committee. Mitigation measures are proposed such as vegetation clearance taking place outside of the bird breeding season and this can be controlled by a condition.

7.53 The applicant has submitted details of wintering bird survey. The report indicates that there are no significant bird species on site above district level.

7.54 The applicant has also agreed to provide a S106 contribution of £39,000 towards off site improvements as further mitigation to Weetslade Country Park which is 200m away and designated as a Local Wildlife Site. The contribution would be used towards biodiversity improvements within Weetslade Country Park including habitat creation and enhancement projects and footpath/car park improvement works.

7.55 The proposal would not result in significant harm to biodiversity. The majority of the site is of low habitat value. The site is not protected in terms of biodiversity. It is farmland. Clearly the proposal will have an impact as it will turn farmland into housing and this will reduce space available for ground nesting birds. However it is not considered that this would result in significant harm to biodiversity and subject to conditions, it is considered that the proposal would accord with the advice in NPPF.

7.56 Aviation Safety

7.57 Newcastle International Airport has a statutory duty to ensure that new developments within its vicinity do not have the potential to increase the birdstrike risk for aircraft operating out of the airport.

7.58 Newcastle International Airport have been consulted and initially have objected to the proposal. They states that the proposed housing is approximately 1.5km from the eastern approach/ascent path to Newcastle International Aiport as so where aircraft are flying at low altitude and pilots are undertaking complex manoeuvres during this critical stage of flight. They also raised concern regarding the species mix for the proposed landscaping that as it was it had to potential to attract birds. The applicant has taken account of these concerns and revised the landscaping scheme accordingly.

7.59 The applicant has also submitted a Bird Strike Risk Assessment. This concludes that the proposed development will not have to potential to increase the birstrike risk at Newcastle International Airport.

7.60 Newcastle Airport has been re-consulted on this additional and revised information and their further comments will be reported to Planning Committee.

7.61 Archaeology

7.62 Paragraph 141 of NPPF states that heritage assets are an irreplaceable resource and therefore they should be conserved in a manner appropriate to its significance.

7.63 Policy E19/6 states that where assessment and evaluation have established that proposed development will affect a site of area of archaeological interest, the applicant will be required to preserve or carry out a programme of archaeological works.

7.64 The applicant has submitted an Archaeological Desk Based Assessment. This states that there are no known archaeological sites within the area of the development site. However, the site does lie in an area with a known density of pre-historic sites with several settlement sites in the vicinity identified from recent excavations. The possibility cannot be discounted therefore that previously unknown archaeological remains of pre-historic date could be present within the site.

7.65 The Tyne and Wear Archaeology officer has been consulted and raises no objection subject to conditions to require further archaeological fieldwork and recording. Subject to these conditions it is officer advice that the proposal would comply with the advice in NPPF and policy E19/6.

7.66 Flooding

7.67 The National Planning Policy Framework states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test.

7.68 The applicant has submitted a Flood Risk Assessment, which concludes that the application site is within Flood Zone 1, the lowest risk. The applicant has looked at the surface water discharge hierarchy which seeks infiltration as the preferred choice. However the applicant states that discharge to infiltration is unsuitable. It is proposed to discharge surface water to the open watercourse located on the northern boundary.

7.69 The proposal includes a SUDs pond to the north eastern corner. It will have a settlement basin and three wet ditches. The proposed SUDS area will be dry/boggy area of 10-20 sq m. The area will only ever become wet in extreme 1 in 30 year flood events or greater. The drain down time is less than 24 hours. This will ensure that there is only open water present during and immediately after a flood event, with excess water draining quickly.

7.70 Network Rail initially objected to the proposal, citing an existing problem with flooding on the East Coast Main Line which they were concerned would be exacerbated by the proposed drainage for this site. The applicant has met with Network Rail and the Council's Local Lead Flood Authority to seek to resolve the matter. It is important to note that it would be unreasonable for the applicant to seek to mitigate an existing situation, however it is reasonable that their site should make the situation no worse. Network Rail have been re-consulted and have removed their initial objection.

7.71 The Council as Local Lead Flood Authority have been re-consulted and state that it is noted that the site and railway line have flooded in the past. Following discussions this issue will be addressed by the introduction of a surface water pumping station and they recommend conditional approval.

7.72 Subject to conditions it is considered that the proposal would accord with the flooding advice in NPPF.

7.73 Character and appearance

7.74 Paragraph 56 of NPPF states that that the Government attached great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute to making places better for people.

7.75 The proposal seeks planning permission for 200 dwellings, which would result in a density of approximately 24 dwellings per hectare.

7.76 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 of Planning Policy Guidance (PPG) Note: 3 'Housing,' which sought to develop housing at higher densities, but was cancelled in 2012. Therefore policy H12 is out of date. NPPF does however state that local authorities should set their own approach to housing density to reflect local circumstances.

7.77 The proposal would be a medium to low density and it is officer advice that it is considered to be appropriate.

7.78 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.

7.79 Policy H11 states that in determining applications for residential development, the local planning authority will require that any proposals take into account the quality of its layout and design.

7.80 Policy R1 seeks to ensure that new housing is accompanied by an appropriate levels of informal and formal outdoor recreation space.

7.81 Policy DCPS No:14 sets out the material planning criteria to be taken into account when considering individual proposals and amongst other matters will consider the proximity of businesses or emissions near the site, which may adversely affect its proposed residential use. It also sets out the recommended privacy distances between dwellings to provide privacy and outlook of 21m front to front and back to back and back to gable of 12m for two storey dwellings.

7.82 The applicant's Design and Access Statement states that access to the development will be provided by a single access point. This primary access point is designed as an attractive boulevard. For much of its length this will be a wide street with a generous verge through the site. This route will also accommodate a footway either side with a continuous landscape verge with street trees and supplementary planting arranged as an attractive boulevard. The proposal would be outward facing which is a benefit rather than inward and insular.

7.83 In keeping with the wider scheme principles and to provide an outward facing development dwellings located at the western boundary will also face outwards.

7.84 The Council's Building for Life Officer has been consulted and states that the site is self contained and bound by A-roads and the East Coast Railway line. Beyond the railway line is an industrial estate. The layout has considered these constraints and shows landscape boundaries around the site which will contribute towards an improved environment within the site.

7.85 He goes onto state that the layout has a clear central route through the site with open space to one side of it that is well landscaped to enhance the overall street scene. Pedestrian routes onto the waggonway are frequent and will be easily accessible for residents.

7.86 Revised elevations have been submitted for the Norbury and Pendlebury housetypes. Both the Norbury and Pendlebury Housetypes have been improved by adding further visual interest to gable walls. The proposed dwellings would have a contemporary design that uses identifiable traditional materials. A variance of brick, art stone and render is proposed, which will provide a good variety of materials. There would be traditional elements on some housetypes through the use of chimneys.

7.87 Boundary treatment have been amended specifically on plots 106, 107, 145, 54 and 53. These plots now have high brick walls and timber infill fencing.

7.88 In terms of separation distances plots 21-18 and 20-19 would have a separation distance of only 20m back to back which would be 1m below the recommended standard. Plots 8-9 would have a separation distance of back to gable of 10.5m when the recommended distances is 12m. All other plots would comply with the recommended distances. It is considered that only a few of the plots would be below the minimum standard and not by a significant amount and therefore on balance is considered to be acceptable.

7.89 The applicant has submitted an Arboricultural Implications Assessment. This states that the development will require the removal of two trees (Category C T12 and T13) which are characterised as low retention value. No other significant vegetation will need to be removed.

7.90 The Council's Landscape Architect has been consulted and states there are no significant landscape features within the site, but the tree line bordering the inter city main line to the east and the area of improved grassland and tree groupings within the northern section provide some biodiversity. Both of these groups of trees are beyond the boundaries of the application site.

7.91 The applicant has submitted an amended landscaping scheme. They have sought to balance the competing concerns of the Council's Biodiversity Officer and Newcastle International Airport. The landscaping plan has been amended in favour of addressing the concerns of Newcastle Airport which now restricts the number and type of tree and shrub species proposed for the site to less than 10% of those species classed as attractive to bird populations with the potential to cause a risk to aviation through bird strike. In addition landscaping on site will not be planted in clumps which could also be attractive to bird populations and thus pose a threat to aviation safety.

7.92 Members need to determine whether the proposed development would be acceptable in terms of it's character and appearance upon the site and the surrounding area and whether the proposal would accord with UDP policies E23, H11, R1, R3/1 and DCPS No.14 and weight this in their decision.

7.93 Car Parking and Access

7.94 NPPF states that transport policies have an important role to play in facilitating sustainable development, but also in contributing to wider sustainability and health objectives.

7.95 All development that generate significant amounts of movements should be supported by a Transport Statement of Transport Assessment. Planning decisions should take into account amongst other matters that safe and suitable access to the site can be achieved for all people.

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

7.97 Policy H11 requires proposals for residential development to take into account the provision made for parking, access, pedestrian and vehicle circulation.

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

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

7.100 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.

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

7.102 Policy R4 states that recreation corridors should on the proposals map will be protected for that purpose by ensuring that no development is approved which would prejudice their accessibility and intended use.

7.103 The applicant has submitted a Transport Assessment (TA) as part of the application. The Highway Network Manager has been consulted and states that the TA has assessed the local highway network and was tested against the Council's micro-simulation Transport Model. The Highway Network Manager considers that the impact of the development on the highway network will not be severe given the various improvements committed along the A1056 corridor and as such no wider off-site mitigation will be required other than the proposed site access.

7.104 Nonetheless, the site is relatively isolated and could rely significantly on car trips to serve the site. As such the developer is proposing improvements to public transport by including bus stops and lay-bys on the A1056 outside the site and improvements to Public Rights of Way serving the site and surrounding areas. These measures will improve connectivity to shops, schools and employment areas.

7.105 Parking has been provided in accordance with the standards set out in LDD12 and the site has appropriate highway layouts with suitable turning areas as well as good pedestrian and cycle connectivity through the site.

7.106 Members need to consider whether the proposed car parking and access arrangements are acceptable, whether the proposal would accord with the advice in NPPF and policies T8, T9, T11 and LDD12 and weight this in their decision.

7.107 Other Matters

S106 Contributions

7.108 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 contributions 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 developer to enable the development to be deliverable.

7.109 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 if the obligation is;

- necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably relates in scale and kind to the development.

7.110 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 the necessary infrastructure and facilities are provided to mitigate impacts, ensure enhancements and achieve a high quality environment where people choose to live, work, learn and play.

7.111 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 the requirement for new development to mitigate its impact on the physical, social economic and green infrastructure of North Tyneside.

7.112 The applicant has offered the following contributions that have been sought by the Council

Affordable housing 25% on site,

Highways £130,000 for improvements to the local Public Rights of Way Network, £175,000 Travel Plan Bond and £10,000 per annum for Travel monitoring for the duration of construction and 2 years post construction, a new bus shelter to accompany the new bus stop of the west bound A1056 Killingworth Way and £300 per annum for the upkeep and maintenance for a period of 5 years.

Neighbourhood Park £91,600 for Killingworth Lakeside Park, Killingworth Linear Park, Lockey Park and potentially the Rising Sun Country Park as the nearest destination park.

Strategic/Semi Natural Open Space £39,000 towards Weetslade Country Park.

Children's equipped playspace £125,000 towards Burradon Welfare/Killingworth Lakeside.

7.113 These contributions are considered necessary, directly relates to the development and fairly and reasonably related in scale and kind to the development and therefore comply with the CIL Regulations.

7.114 Local Financial Considerations

7.115 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments).

7.116 The proposal involves the creation of 200 new dwellings. The Government pays New Homes Bonus to local authorities to assist them in costs associated with housing growth and payments were first received in the financial year of 2011/12. These payments are based on net additions 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 planning permission for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive.

7.117 As the system currently stands, for North Tyneside for the new increase in dwellings built 2016/17 the council will receive funding for six years. However, The Secretary of State has confirmed that in 2017/18 New Homes Bonus payments will be made for five rather than six years and that the payment period will be reduced again for years 2018/19.

7.118 In addition, the new homes will bring additional revenue in terms of Council Tax.

7.119 Members should give appropriate weight to amongst all other material considerations to the benefit to the Council as a result of the monies received from central Government.

7.120 Conclusion

7.121 The site is designated as safeguarded land according to the UDP and this application represents a departure from policies E21 and E21/1. However, the UDP plan period expired in 2006 and we are now significantly beyond this. The site is also safeguarded land in the emerging Local Plan, which is at an advanced stage. However, the purpose of safeguarded land is to safeguard it for development rather than safeguard it from development. Currently, the Council does not have a 5-year supply of deliverable housing sites and therefore it follows that it's policies for the supply of housing are out of date. Notwithstanding this the 5-year supply figure is a minimum rather than a maximum figure. It follows having regard to paragraph 49 of NPPF that housing applications should be considered in the context of the presumption in favour of residential development. It therefore follows that planning permission should be granted for sustainable development, unless the impacts would significantly and demonstrably outweigh the benefits.

7.122 The provision of affordable housing is a matter which weights significantly in the balance in favour of the proposals.

7.123 It is officer advice that the proposal would not have an adverse impact upon the character and appearance of the site, or the surrounding area.

7.124 The proposal would accord with NPPF in terms of flood risk.

7.125 The proposal would result in some limited harm in terms of biodiversity in terms of the impact on ground nesting birds, notably Grey Partridge and Skylark. However, the site is of low habitat value and the nesting birds are in low numbers and is not a species above district level importance. The proposal would not result in significant harm in terms of biodiversity. Furthermore additional off-site mitigation is proposed for habitat creation at the nearby Weetslade Country Park.

7.126 The proposal would accord with NPPF in terms of not losing the best and most versatile agricultural land.

7.127 Taken overall, the proposals accord with the NPPF to the extent that they can be regarded as suitable.

7.128 Subject to conditions, the proposal would not have a significant adverse impact in terms of future occupiers living conditions in terms of noise.

7.129 Highways and traffic impacts would be acceptable and not severe.

7.130 The starting point for Members is that planning permission should be granted unless the adverse impact of granting permission significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in NPPF as a whole.

7.131 The benefits of providing additional housing for both open market and for affordable provision are significant and weighty matters. There are no impacts which are significant and demonstrable such as the presumption in favour should not apply.

7.132 In conclusion, subject to conditions and a S106 Legal Agreement, it is recommended on balance that planning permission should be granted.

RECOMMENDATION: Minded to grant legal agreement req.

Members are recommended to indicate that they are minded to grant this application subject to an Agreement under Section 106 of the Town and Country planning act 1990 and the addition, omission or amendment of any other conditions necessary. Members are also recommended to grant plenary powers to the Head of Environment, Housing and Leisure to grant planning permission for the development subject to securing a S106 Legal Agreement for the following;

25% affordable housing on-site;

£130,000 for improvements to the Local Public Rights of Way;

£175,000 Travel Plan Bond and £10,000 per annum for travel monitoring for the duration of construction and 2 years post construction;

New bus shelter to accompany the new bus stop to the west bound A1056 Killingworth Way and £300 per annum for the upkeep and maintenance for a period of 5 years.

£91,600 for Neighbourhood Parks

£39,000 for Strategic/Semi Natural Open Space.

£125,000 towards children's equipped play space.

Members are also recommended to authorise the Head of Law and Governance to undertake all necessary procedures to obtain the following highway improvement by virtue of S278 of the Highways Act 1980;
New traffic signal junction with pedestrian and cycle crossing facilities at the site access;

Installation of MOVA and linking into proposed signals at A1056/A189 junction and A1056 corridor.

Shared cycle/footway linking into the development at Whitehouse Farm.

Shared cycle/footway linking into the development at Whitehouse Farm

Shared cycle/footway linking into existing infrastructure on A189/

Footpath along north side of A1056 between junctions with A189 & B1505 Station Road.

Localised road widening.

Upgrade and widening of footpaths surrounding the site.

Associated street lighting

Associated drainage

Associated road markings

Associated Traffic Regulation Orders

Associated Street furniture and signage

Conditions/Reasons

1. The development hereby permitted shall be carried out in complete accordance with the following approved plans and specifications:

- Application form
- Site Location Plan Dwg. No. SD-00.01
- Site Layout as Proposed Dwg. No. SD-10.01 Rev E
- Landscape Strategy Masterplan Dwg. No. NT12341 - Figure 11 Rev C
- Surface Treatment Plan Dwg. No. SD-10.03 Rev D
- Boundary Treatment Plan Dwg. No. SD-10.04 Rev D
- Adoption Plan Dwg No. SD-10.05 Rev D
- Nett Area Diagram Dwg. No. SD-10.07
- Proposed 2.5 Storey, 3 Bed House Dwg. No. SD-30.01
- Proposed 2 Storey, 3 Bed Double Fronted House Dwg. No. SD-30.02
- Ashbury Det - Brick Gable Dwg. No. KIL/ASY/001
- Ashton Housetype Dwg. No. KIL/ASN/001
- Cranford+ Housetype Dwg. No. KIL/CRD/001
- Dalton Floor plans and Elevations Dwg. No. KIL/DAN/001
- Kilmington Floor Plans and Elevations Dwg. No. KIL/KIN/001
- Newton Floor Plans and Elevations Dwg. No. KIL/NEN/001
- Norbury Housetype Dwg. No. KIL/NOY/001 Rev A
- Pendlebury Housetype Dwg. No. KIL/PEY/001 Rev A
- Rosebury Propoed Elevations Dwg. No. ROY/040
- Rosebury Sales Floor Plans Dwg. No ROY/001
- Sutton Floor Plans and Elevations Dwg. No. KIL/SUN/001

- Westbury Floor Plans and Elevations KIL/WEY/001
- Flood Risk Assessment RO/FRA/15101.1 Version 4 dated November 2016.
- Design and Access Statement Produced by Pod dated November 2016,
- Birdstrike Risk Assessment produced by Birstrike Management Ltd dated 23 February 2017.
- Noise Assessment Addendum Produced by Wardell Armstrong Report No. 002b, dated February 2017.
- Wintering and Breeding Bird Survey Produced by E3 Ecology dated January 2017 Report Version R04.
- Bat Survey Produced by E3 Ecology, dated November 2016. Version R03.
- Arboricultural Impact Assessment Tree Protection Plan Drawing No. TPP SaltersLaneNorth. No.2 dated 22/11/2016.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. Notwithstanding any indication of materials which may have been given in the application, no development of any dwelling above damp proof course shall take place until a schedule and/or samples of the materials and finishes for the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

4. No development shall take place until plans of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings has been 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 ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H11 of the North Tyneside Unitary Development Plan 2002. This information is require pre-commencement to ensure that the existing levels are correct before work commences

5. The development above damp proof course shall take place until details of the adoptable estate roads and footways have been submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until the estate roads which provide access to it from the existing highway have been laid out and constructed in accordance with the approved details.

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

6. New Access Access Before Devel ACC10 *H11

7. Exist Access Closure Misc Points By ACC17 *6
*T6

8. None of the dwellings hereby permitted shall be constructed above damp proof course level until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

9. Turning Areas Before Occ ACC25 *refuse
*H11

10. Traffic calming measures to 20mph ACC27 *H11

11. No dwelling hereby permitted shall be constructed above damp proof course level until details of the disposal of surface water from the highway, footpaths and other hard surfaces have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with 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.

12. Veh Parking Garaging before Occ PAR04 *H11

13. No dwelling hereby permitted shall be constructed above damp proof course level until details of facilities to be provided for the storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

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

14. Construction Method Statement SIT05 *H11

15. Notwithstanding the details submitted, the proposed scheme for the provision of secure undercover cycle parking shall be implemented in accordance with the approved details and before the development is occupied.

Reason: To ensure secure undercover cycle parking is provided in accordance with policy T8 of the North Tyneside Unitary Development Plan 2002.

16. No development above damp proof course level for any of the dwellings hereby permitted shall take place until a detailed scheme for surface water management has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of future maintenance. Thereafter the approved scheme shall be implemented in accordance with the approved details before any of the dwellings hereby permitted is first occupied.

Reason: To ensure adequate surface water drainage in accordance with the advice in National Planning Policy Framework.

17. Notwithstanding the submitted details, no dwelling hereby permitted shall be constructed above damp proof course until details of traffic calming measures at the points where the Public Right of Way and unrecorded route cross the estate roads shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to any of the dwelling hereby permitted being first occupied.

Reason: In the interests of pedestrian safety in accordance with policy T9 of the North Tyneside Unitary Development Plan 2002.

18. Notwithstanding condition 1, no development shall commence until a scheme to show wheel washing facilities including it's location, type of operation and maintenance programme, have been submitted to and approved in writing by the Local Planning Authority. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until the scheme hereby approved has been installed and is fully operational. The scheme shall be retained for the duration of construction of the development and if it breaks down during this period, construction shall cease until it has been repaired.

Reason: It is necessary for this condition to be pre-commencement to ensure that the adoptable highway is kept free from mud and debris in the interests of highway safety having regard to policy T6 of the North Tyneside Unitary Development Plan 2002.

19. Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Travel Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the advice in National Planning Policy Framework.

20. Prior to occupation of any of the dwellings hereby permitted, the details of acoustic glazing and ventilation system must be submitted to and agreed in writing by the Local Planning Authority to ensure a minimum glazing system, as stipulated in Table 8 on page 23 and 24, Table 9 on page 26 and Table 10 in pages 26 and 27 of noise report number NT12341/002 are provided to habitable rooms to ensure bedrooms meet the good internal standard of 30 dB LAeqT, at

night and prevent the exceedance of Lmax 45 dB(A) and living rooms meet an internal equivalent noise level of 35 dB LAeqT in accordance to BS8233:2014.

Reason: To ensure a satisfactory living environment for future occupiers in accordance with policies E3 and H11 of the North Tyneside Unitary Development Plan 2002.

21. Prior to occupation of any of the dwellings hereby permitted, details of the ventilation scheme for habitable rooms must be submitted to and approved in writing and thereafter implemented to ensure an appropriate standard of ventilation, with an extract vent in each habitable room, must be provided as a minimum for properties located to the North East boundary of the site adjacent to Entek. For other properties an alternative passive acoustic ventilation will be considered adequate. The ventilation must be the requirements of Building Regulations with windows closed.

Reason: To ensure a satisfactory living environment for future occupiers in accordance with policies E3 and H11 of the North Tyneside Unitary Development Plan 2002.

22. Restrict Hours No Construction Sun BH HOU04 *

23. Piling activities if required at the site shall only take place between the hours of 10:00-14:00 hours Monday to Saturday only.

Reason: In the interests of protecting the amenity of neighbouring occupiers in accordance with policy E3 of the North Tyneside Unitary Development Plan 2002.

24. The acoustic screening to be provided to all garden areas must be implemented in accordance with the boundary treatment plan drawing no 793-AVA before any of the dwellings hereby permitted are first occupied and thereafter retained to ensure a reduction of external noise levels to 55dB LAeq.

Reason: In the interests of ensuring an adequate residential living environment in accordance with policy H11 of the North Tyneside Unitary Development Plan 2002.

25. Contaminated Land Investigation Housing CON01 *

26. Gas Investigate no Development GAS06 *

27. No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

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

28. The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 27 has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within in area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM0.13 and saved policy E19/6.

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

Reason: The site is located within in area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM0.13 and saved policy E19/6.

30. Notwithstanding the approved plans the proposed lighting on site shall be fully cut off so as to prevent light spill into the atmosphere.

In the interests of aviation safety due to the close proximity of the site to the flight path of Newcastle International Airport.

31. Prior to the commencement of development, a method statement for crane operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport. Thereafter the development shall only proceed in accordance with the agreed method statement.

In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport.

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

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)

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

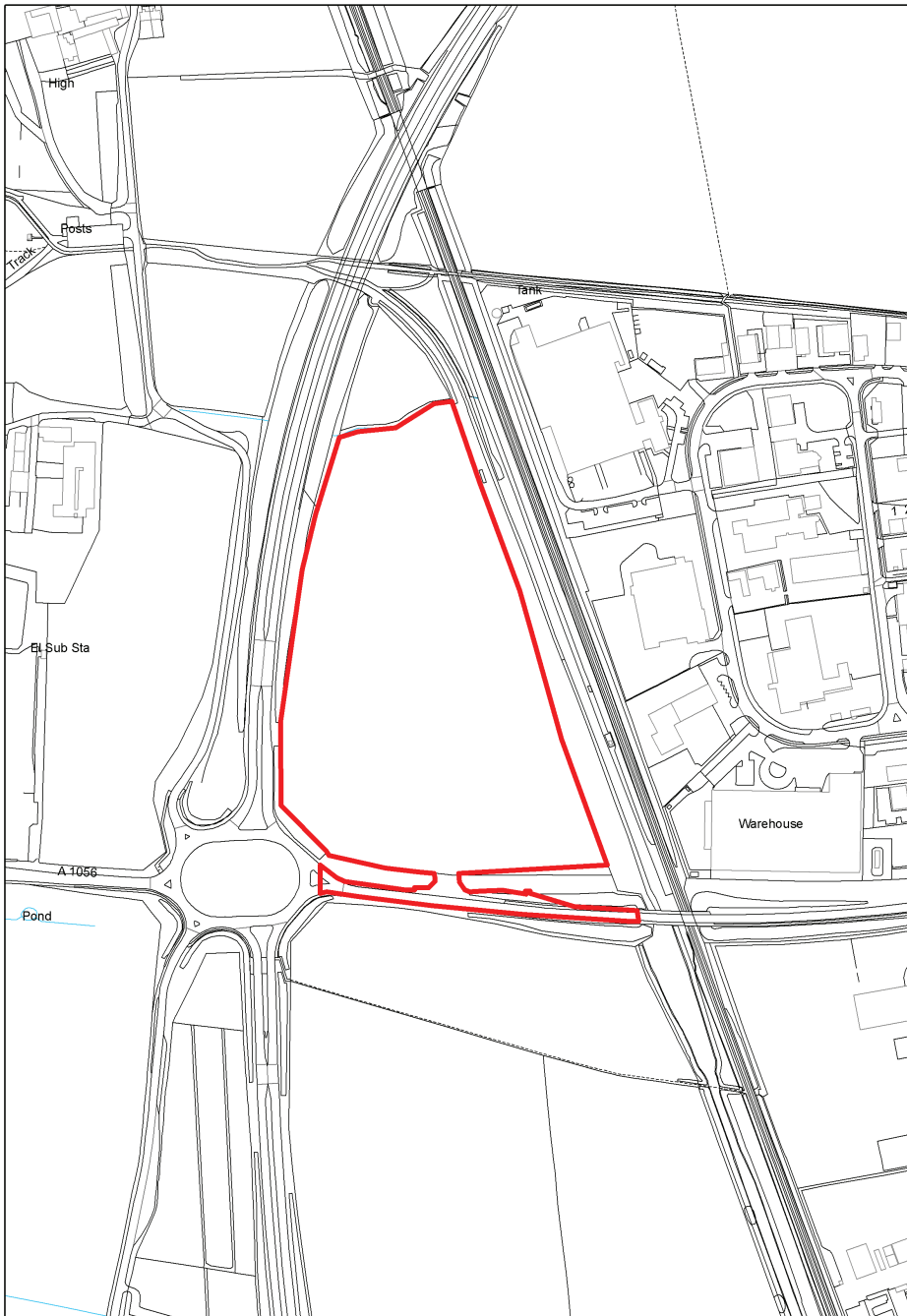
Street Naming and numbering (I45)

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 Rights of Way Officer.

Prior to the commencement of works and upon the completion of the development the developer shall contact the 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 development is advised to contact the council's Rights of Way Officer to discuss connectivity to the site into the surrounding Public Rights of Way Network.



Application reference: 16/01889/FUL

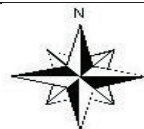
Location: Land East of Salters Lane, Longbenton, NEWCASTLE UPON TYNE

Proposal: Residential development of 200 new homes (including 50 new affordable homes, access, gardens, car parking, landscaping and amenity space and associated infrastructure)

Not to scale

Date: 02.03.2017

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Appendix 1 – 16/01889/FUL Item 2

Consultations/representations

Internal Consultees

1. Highway Network Manager

1.1 This application is for a residential development of 200 new homes including 50 new affordable homes, access, gardens, car parking, landscaping, amenity space & associated infrastructure.

1.2 A Transport Assessment (TA) has been included as part of the application that assessed the local highway network and was tested in the councils Micro-simulation Transport Model. It is considered that impact of the development on the highway network will not be severe given the various improvements already committed along the A1056 corridor and as such, no wider off site highway mitigation will be required other than the proposed site access.

1.3 Nonetheless, the site is relatively isolated and could rely significantly on car trips to serve the site. As such the developer is proposing improvements to public transport by introducing bus stops & lay-bys on the A1056 outside the site and improvements to Public Rights of Way serving the site and surrounding areas. These measures will improve connectivity to shops, schools & employment areas.

1.4 A Framework Travel Plan (TP) has also been included as part of the application, that seeks to reduce car usage associated with the site by various measures.

1.5 Parking has been provided in accordance with the standards set out in LDD12 and the site has appropriate highway layouts with suitable turning areas as well as good pedestrian & cycle connectivity throughout the site.

1.6 For these reasons and on balance, conditional approval is recommended.

1.7 Recommendation - Conditional Approval

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

New traffic signal junction with pedestrian & cycle crossing facilities at the site access

Installation of MOVA & linking into proposed signals at A1056/A189 junction & A0156 corridor

Shared cycle/footway linking into the development at Whitehouse Farm

Shared cycle/footway linking into existing infrastructure on A189

Footpath along north side of A1056 between junctions with A189 & B1505

Station Road

Localised road widening

Upgrade & widening of footpaths surrounding the site

Associated street lighting

Associated drainage

Associated road markings
Associated Traffic Regulation Orders
Associated street furniture & signage

1.9 The applicant will be required to enter into a Section 106 Agreement for the following:

£130,000 for improvements to the local PROW network
£175,000 Travel Plan Bond
£10,000 per annum for Travel Monitoring for the duration of construction & 2 years post construction

1.10 Conditions:

ACC02 - House Est: Details, Adopt Roads, No Occ
ACC10 - New Access: Access before Devel
ACC17 - Exist Access Closure: Misc Points, By *6 months
ACC20 - Visibility Splay: Detail, Before Devel (2.4m by 43m by 0.6m)
ACC25 - Turning Areas: Before Occ
ACC27 - Traffic calming measures to 20mph
DRN02 - Housing Est: Details, Road Drainage, No Occ
PAR04 - Veh: Parking, Garaging before Occ
REF01 - Refuse Storage: Detail, Provide Before Occ
SIT05 - Construction Management

1.11 Notwithstanding the details submitted, the proposed scheme for the provision of secure undercover cycle parking shall be implemented in accordance with the approved details and before the development is occupied.

Reason: In the interests of highway safety.

1.12 No development shall commence until a scheme for the provision of pedestrian & cycle links to the existing pedestrian & cycle network has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

1.14 Notwithstanding the submitted details, details of traffic calming features at the points where the Public Right of Way and unrecorded route cross the estate roads shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the traffic calming features shall be installed and in accordance with the approved details.

Reason: In the interests of highway safety.

1.15 Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities, including its location, type of operation

and maintenance programme, have been submitted to and approved in writing by the Local Planning Authority. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until the scheme hereby approved has been installed and is fully operational. This scheme shall be retained for the duration of construction of the development and if it breaks down during this period, construction shall cease until it has been repaired.

Reason: To ensure that the adoptable highway(s) is kept free from mud and debris in the interests of highway safety having regard to Policy *** of the North Tyneside Council Unitary Development Plan 2002.

1.16 Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Travel Plan unless otherwise agreed in writing by the Local Planning Authority.

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

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

1.18 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 Rights of Way Officer.

1.19 Prior to the commencement of works and upon the completion of the development the developer shall contact the 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.

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

2. Manager of Environmental Health (Pollution)

2.1 Objection.

2.2 The site is located between the A189 and the East Coast Mainline, with Camperdown Industrial Estate located immediately beyond the rail line at a distance of approximately 75m. Historically complaints have been received regarding tonal noises from Entek, a large 24 hour operating Part A factory. The housing will be adjacent to the rear yard containing a large amount of external plant.

2.3 I have viewed the air quality assessment that has considered the potential increase in the air pollutants resulting from an increase in road traffic resulting from the development. The principal pollutants of concern are nitrogen dioxide and particulates, arising from road traffic vehicles. The air quality has concluded that there will be a negligible increase in both nitrogen dioxide and particulates and overall air pollutant levels will be below the air quality objective levels for NO₂ and PM₁₀ if the development was to occur. With regard to PM_{2.5} levels, although there is a limit level in the 2010 Regulations there are no specific target limits set within the LAQM Technical Guidance (TG16) for Local Authorities in England to work towards. It is recognised that there are no safe levels for particulates and that Local Authorities must have policies in place to reduce the levels to as low a level as possible. Any new development will contribute to the overall air quality levels within an area and therefore although the overall impacts are considered to be negligible there will still be impacts and therefore it is recommended that some mitigation measures are incorporated within the scheme to address air pollutants, e.g. such as the provision of electric car charging points.

2.4 I have viewed the noise report. This has considered five monitoring locations, 1 reflective of proposed residential properties adjacent to Camperdown Industrial Estate and closest to Entek. The noise monitoring new to the industrial estate was carried out for a period of 19 hours from 14:00 hours until 09:00 hours and not for a full 24 hour period. 1 location was representative of rail noise arising from the East Coast rail line, and 2 locations were used to assess road traffic noise from the A189 and 1 location was used to the south east of the site to assess the representative background noise level for the area.

2.5 I am concerned that industrial noise from the factory was not representative as the noise survey was limited to 14:00 hours to 09:00 hours. The noise report does not identify tonal noise, however tonal low level noise consisting of a low level of continuous tonal increasing and decreasing in volume was identified subjectively in 2011 and 2012 about Means Drive, approximately 500 metres from Entek, potentially via the cooling towers. The low frequency peak from the investigation was evident. However, no action could be taken to mitigate the noise from the cooling towers for this particular location as the road traffic noise was considered to be the dominant noise source and was considered that there was no further mitigation that could be taken to reduce the cooling tower noise.

2.6 The report indicated that the rated noise impact from the industrial noise arising from Entek operations at night will give a level of 60dB LAeqT and level of 58 dB LAeqT for the daytime at the closest residential façade. When compared against the background noise this will result in significant adverse impact for residents for both daytime and night time. The consultant has shown that provided residential windows are closed, the internal noise levels caused by the industrial; noise from Entek can meet BS8233. However, if residents choose to open windows then the internal noise levels will not be achieved and complaints will arise as noise levels are likely to give rise to significant adverse impacts.

2.7 Entek have indicated in their correspondence dated 21 December 2016 that the noise monitoring may not have included all industrial operations from the site as daytime noise monitoring was limited. The noise monitoring suggests that the

only noise arising from Entek was from the cooling towers and that this was steady and continuous and not intermittent. However, Entek within their letter suggest otherwise outlining that they have irregular delivery movements and a range of potentially noisy processes taking place.

2.8 Noise monitoring should be over a 24 hour period. The night time monitoring was reflective of night time operations at Entek and concluded that the plant and cooling tower noise would give rise to significant adverse impact if residents in properties located to the north east boundary of the site choose to open windows, if they wish to enjoy a reasonable amenity during the night period. Passive acoustic ventilators would not be considered appropriate for those periods located adjacent to Entek due to the continuous industrial noise and mechanical ventilation will be required to enable residents to have reasonable amenity during the night period, without recourse to open windows.

2.9 BS8233 specifies standards for good habitable living. This is based on road traffic noise rather than industrial noises and the internal noise levels for habitable rooms can be achieved with the appropriate standard of glazing.

2.10 Residents opening windows where the noise is considered anonymous in nature such as road traffic noise may not give rise to sleep disturbance. I consider that where properties are exposed to industrial noise then residents sleep may be affected if windows are open. It is unclear if the noise monitoring that has been carried out is fully inclusive of all the noise arising from Entek. BS41412 and BS8233 outline in determining the assessment of impacts from industrial noise that the sensitivity of the receptor needs to be considered and whether the residential purposes will already incorporate design measures that secure good internal and/or outdoor acoustic conditions such as i) façade insulation treatment; ii) ventilation and/or cooling that will reduce the need to have windows open so as to provide rapid or purge ventilation and iii) acoustic screening. The noise report outlines that the internal noise levels for the habitable rooms will comply with the requirements of BS8233. However, BS4141:2014 also indicated that the determination of noise amounting to a nuisance is beyond its scope. Therefore if residents choose to open windows at night then there is a likelihood of residents to complain due to the industrial noise arising from Entek and potential for severe adverse impacts on residents quality of life giving rise to a statutory nuisance. As the low frequency noise is arising from the cooling towers, there is unlikely to be any mitigation that can be taken at source to address the noise, and therefore if residents choose to open windows they will be subjected to noise. The National Planning Policy Framework indicated that the new development should be protected against significant adverse impacts and that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses. I would therefore recommend refusal of this application as the development will result in an unacceptable quality of life for the residential properties and have a potential impact on the operations of the business as a result of additional restrictions being put on them as a result of the development, that is contrary to the National Planning Policy Framework.

2.11 The external and internal noise levels as specified in BS8233 is based on steady noise e.g. traffic and not industrial noise. Although the external noise

levels for gardens can be mitigated through the provision of acoustic screening to achieve external noise levels to meet the requirements of the World Health Organisation guidelines for community noise, residents amenity will be affected by the low frequency of noise from Entek.

2.12 However, if minded to approve I would suggest the following conditions;

2.13 Prior to occupation, the details of the acoustic glazing and ventilation system must be submitted to the Local Planning Authority for the approval and agreed and thereby implemented, to ensure the minimum glazing system, as stipulated in Table 8 on page 23 and 24, Table 9 on page 26 and Table 10 on pages 26 and 27 of noise report number NT12341/002 are provided to habitable rooms to ensure bedrooms meet the good internal standard of 30 dB LAeqT, at night and prevent the exceedance of Lmax 45 dB(A) and living rooms meet an internal equivalent noise level of 35 dB LAeqT in accordance to BS8233:2014.

2.14 Prior to occupation, the ventilation scheme for habitable rooms must be submitted for approval in wiring and thereafter implemented to ensure an appropriate standard of ventilation, with an extract vent in each habitable room, must be provided as a minimum for properties located to the North East boundary of the site adjacent to Entek. For other properties an alternative passive acoustic ventilation will be considered adequate. The ventilation to meet the requirements of Building Regulations with windows closed.

HOU04

2.15 Piling activities if required at the site to be restricted to the hours 10:00-14:00 hours Monday to Saturday only.

SIT03

2.16 Details of acoustic screening to be provided to all garden areas must be implemented in accordance to the boundary treatment plan drawing no 793-AVA and thereafter retained to ensure reduction of external noise levels to 55dB LAeq.

3. Landscape Architect

3.1 The proposed development lies to the west of Killingworth and consists of a large arable field bordered by young woodland and hedgerows, predominantly located along the eastern side. The northern section of the site contains an area of semi-improved pasture and is also contained by immature woodland to the east and west. There are sparsely populated hedgerows and trees along the western boundary bordering the raised roadways of the A189 west and the A1056 to the south. The East Coast Main Line (railway) runs in a north south alignment along the entire eastern perimeter of the site beyond the tree line. There are no structures present on the site and it retains an open aspect and flat horizon. There is no significant landscape features within the site, but the tree line bordering the inter-city main line to the east and the area of improved grassland and tree groupings within the northern section provide some biodiversity. The eastern tree group forms, along with others within the vicinity, a potentially significant screen to the site when viewed from the east. The site is

very visible from the raised roadways of the A189 and A1056 because of sporadic landscape features consisting mainly of hedgerow(s).

3.2 The proposed landscape layout shows a central corridor of amenity grass and bulbs along the central spine road. An area of open space is retained to the north of the site which will contain indicative SUD's ponds. An arboricultural impact assessment has been produced showing thirteen significant individual trees, four tree groups, two hedges and several minor trees within influence of the site. The trees are not within a Conservation Area nor protected by a Tree Preservation Order (TPO). The trees vary in species, age and condition and collectively are considered an important feature of the local landscape providing screening and valuable habitats for wildlife and biodiversity. The proposed development will require the removal of two low retention value (Category C - T1 and T13), however additional trees appear to be removed to allow the cycle links to the eastern boundary and this needs to be addressed in the arboricultural impact report. An arboricultural method statement has been submitted which details the type and location of the protective fencing.

3.3 However, there are issues that need further design which include the following;

I would prefer to see the central landscaped corridor designed with less amenity grass and the inclusion of hedgerow and wildflower planting.

The SUD's to the north is shown as 'indicative.' More detail is required as to how this fits into the wider drainage/landscape scheme.

Car parking/turning head are proposed very close to existing landscape features and in particular there is an existing ditch shown on the plan to the west of the site. I am concerned that the ditch will become meaningless as car parking and turning heads are located in close proximity to it. Car parking/access road/turning heads should be positioned further into the site so that the existing landscape features are not compromised.

Also is there any scope for beefing up the planting to the southern boundary (Killingworth Way) so that direct views onto the site are filtered? Consideration should be given to planting 'off site' if sufficient mitigation cannot be provided on the site.

Tree species should be increased in size from 'select standards' to a minimum of heavy standards (12-14cm girth) with larger semi mature trees to the central corridor area.

Additional trees appear to be removed to allow the cycle links to the eastern boundary. These will impact on the retained trees, fragmenting the woodland. More detail on these areas and how they will impact on retained trees needs to be provided (or indeed if required).

4. Biodiversity Officer

4.1 Objection

4.2 There is no mitigation for Grey Partridge and Skylark both of which were found to be breeding on the site (in low number). I cannot support an application where mitigation has not been provided for the loss of breeding habitat for these species.

4.3 I find the masterplan drawing and in particular, the key confusing;

4.4 The key for hedgerows on the masterplan states that there are hedgerows that are retained and enhanced and also proposals to include new hedgerows, however, it is unclear on the masterplan what are existing hedgerows and what are new ones as the key is the same for both.

4.5 Similarly, there is a key shown in a green colour which describes the following “retain and establish areas of scrub vegetation and diverse grassland areas throughout the site, including semi-improved grassland along the field boundaries and long grassland along the northern boundary.” This is confusing. Is this a key for existing vegetation or new vegetation and is it for scrub planting or diverse grassland? The key should simply be for one particular type of habitat that is being created and should show the exact location of where this is proposed. In addition, I wasn't aware that there was an existing scrub planting or semi-improved grassland to be retained as the ecological survey has mapped this area as arable and has now shown these habitats to be on site.

4.6 The landscaping in the SUDs area to the north east of the site is not clear in terms of where the SUDs will be located, how big it will be or what habitats will be created in this area. This area is to the main area where biodiversity mitigation can be delivered for the impacts on breeding and wintering birds and any other biodiversity impacts from the scheme, therefore, clarification on what is proposed in this location would be required.

4.7 The masterplan and other documents such as breeding and wintering bird surveys state that areas of diverse grassland will be created to increase nesting opportunities and foraging for a range of birds. The plan shows a lot of amenity grassland, but no diverse grassland from what I can see. If the green area on the key is supposed to be the diverse grassland, then this is not adequate to deliver the mitigation required.

The key shows 'wet ditched associated with the SUDs area' – where are these?

4.9 One of the mitigation measures identified within the Breeding and Wintering bird survey is for 'areas of longer grassland created at the northern boundary to provide foraging habitat for barn owl as other raptors' but I can't see this on the plan and there is also housing right up to the boundary of the hedge in the north west section.

4.10 One of the mitigation measures in the Ecological Impact Assessment is for a landscape creation plan that incorporates a range of scrub planting, wet ditches, grassland management and SUDs for biodiversity purposes. Whilst there is structural (woodland) planting proposed, there does not appear to be any specific scrub planting or wet ditched (other than the existing ones), little diverse grassland and no details of SUDs.

4.11 There are three locations on the plan shown as links to the cycle routes from the housing scheme. What are the details of these 'links' and what will the impacts be from installing them on existing habitat? I note that the tree survey states that there are only 2 trees to be removed to accommodate the scheme. These cycle links are going through existing tree planting/woodland areas, so I

am assuming trees will need to be removed to accommodate these. Has the impact on the adjacent woodland/trees from these links been assessed?

4.12 The hedgerow shown around the boundary of the site (not sure if this is new or existing) is severed in numerous locations around the boundary of the site by car parking and turning heads which significantly reduced their boundary benefit. These hedges are presumably providing some mitigation for breeding birds which will be impacted upon from the development and for foraging and commuting bats.

4.13 There are lots of nesting boxes (for birds and bats) which have been shown to be provided around the site. Whilst I support the provision of these nesting features, many of these are shown on the new trees to be planted and these trees will not be mature enough to support these nesting features, particularly bat boxes which need to be a minimum height of 4m above the ground. Some of these features also need to be incorporated into the buildings themselves in the form of bat bricks or bat slates and bird nesting features within or on the buildings.

4.14 To summarise the main issues:-

No mitigation for grey partridge and skylark has been provided.

Clarification and update of Landscape Masterplan is required to address the issues above.

Not enough detail has been provided on the SUDs area, the detail of the SUDs itself and any habitat creation in this area.

Habitat creation within the site is not adequate to mitigate for the impacts of the scheme.

There are no details of the proposed cycle links shown on the masterplan and what impacts these will have on the adjacent woodland planting/trees.

5. Local Lead Flood Authority

5.1 This application is for a residential development of 200 new homes including 50 new affordable homes, access, gardens, car parking, landscaping, amenity space & associated infrastructure.

5.2 As part of the application a Flood Risk Assessment (FRA) was submitted and it noted that the site and railway line have flooded in the past. Following discussions between the LLFA, NWL & the developer, it is anticipated that these issues will be addressed by the introduction of a surface water pumping station to the north of the site. For these reasons and on balance, conditional approval is recommended.

5.3 Recommendation - Conditional Approval

5.4 Condition:

No development shall commence until details of a surface water management scheme have been submitted to and approved by in writing the Local Planning Authority. This scheme shall include details of future maintenance. Thereafter the proposed scheme shall be implemented in accordance with the approved details and before the development is occupied.

Reason: In the interests of surface water management

6. Design Officer

6.1 The site is self contained and is bound by A-roads and the East Coast Railway line. Beyond the railway line is an industrial estate. The layout has considered these constraints and the layout shows landscaped boundaries around the site which will contribute towards an improved environment within the site.

6.2 The layout has a clear central route through the site with open space to one side of it that is well landscaped to enhance the overall street scene. Pedestrian route onto the wagon way are frequent and will be easily accessible for residents. The links should be suitable for pedestrians and cyclists.

6.3 The Dalton house types has a well designed side elevation which contributes to an active and attractive street scene. The Norbury and Pendlebury house types are frequently used on plots where a side elevation faces the street and neither house type has an attractive side elevation. These should be reconsidered or replaced with the Dalton.

6.4 Boundary treatments are generally well planned through the site; amendments are required to the rear boundary treatments of plots 106, 107, 145, 54 and 55. The high close boarded fence should be replaced with a high brick and timber infill fence.

6.5 Surface treatments are less well planned with all materials being tarmac with a mixture of chippings. Shared drives should be concrete blocks. All visitor car parking bays should also be surface in concrete blocks to contribute towards a well balanced and attractive street scene. This will still be an adoptable material.

7. Tyne and Wear Archaeology Officer

7.1 I have read the submitted archaeological desk based assessment.

7.2 The assessment concluded that there are no known archaeological features within the site, however it has never been developed and so it has never been archaeologically investigated and it lies in an area with a known density of prehistoric sites. The possibility cannot be discounted therefore that previously unknown archaeological remains could be present within the site.

7.3 The geophysical survey identified ridge and furrow and former field boundaries.

7.4 Archaeological work required:

7.5 Archaeological evaluation trenching to investigate the geophysical anomalies and to check that the 'blank' areas on the geophysical survey are genuinely devoid of archaeology.

7.6 Fieldwalking (systematic collection of artefacts turned up by the plough).

7.7 Where archaeological features are found in the preliminary trenches or where artefact scatters are found through fieldwalking, these will need to be fully archaeologically excavated before development can commence.

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

7.9 Archaeological Excavation and Recording Condition

No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

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

7.10 Archaeological Post Excavation Report Condition

The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition () has been submitted to and approved in writing by the Local Planning Authority.

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

7.11 Archaeological Publication Report Condition

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

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

External Consultees

8. Network Rail

8.1 We note the inclusion of updated drainage information and on the basis of these new plans and discussions held between the developer and Network Rail, we are now in a position to remove our objection to these proposals on grounds of the impact of the drainage scheme on the railway. We require that the dialogue continue between the developer and our Drainage Team continues as necessary should you be minded to grant permission for this development.

8.2 The National Planning Practice Guide (NPPG) 'reducing the causes and impacts of flooding' Paragraph: 049 Reference ID: 7-049-20150415 advises that Local authorities and developers should seek opportunities to reduce the overall

level of flood risk in the area and beyond. This can be achieved, for instance, through the layout and form of development, including green infrastructure and the appropriate application of sustainable drainage systems, through safeguarding land for flood risk management, or where appropriate, through designing off-site works required to protect and support development in ways that benefit the area more generally.

8.3 The planning statement supporting the application concludes that the determination of the planning application falls to be considered against the NPPF and the presumption in favour of sustainable development should be applied. It is argued that the key principle running through planning policy at all levels is to create development that is sustainable. It is the balance of the economic, social and environmental dimensions which determine the sustainability of a proposal these should not be considered in isolation, as they are mutually dependent.

9. Newcastle International Airport

9.1 In 2003 Newcastle International Airport Limited (NIAL) assumed responsibility from the Civil Aviation Authority (CAA) as the statutory safeguarding consultee for developments within its aerodrome area. The aerodrome safeguarding process is included in UK Legislation as an integral part of planning procedures as outlined in the joint Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002. NIAL has responsibility to ensure that its aerodrome is safe for use by aircraft, with the majority of interest being within 13km radius of the airfield. The proposed housing site is circa 1.5km from the eastern approach/ascent path for Newcastle International Airport and so where aircraft are flying at low altitude and pilots are undertaking complex manoeuvres during this critical stage of flight. There are number of aspects of the proposed development which have the potential to impact on the safe operation of aircraft from Newcastle Airport.

9.2 Landscaping and SUD pond

Certain types of landscaping can be bird attracting, providing a habitat/feeding source for birds with the potential to result in an increase in bird strike incidences. Particular species and the grouping of trees/hedges in certain dense arrangements can also provide roosting habitat for species such as starlings, which can be especially hazardous to aircraft owing to the density of flocks. The following species should not be used on site in quantities greater than 10% and should not be grouped to discourage roosting habitat, in order to prevent the creation of bird attracting features on site.

Crataegus monogyna Hawthorn
Ilex aquifolium Holly
Rosa canina Dog Rose
Berberis spp Barberry
Cotoneaster
Viburnum
Aucuba
Buddleia
Callicarpa Beauty Berry
Chaenomeles Japonica
Clerodendrum
Danae Butcher's Broom
Daphne Euonymus Spindle
Hypericum St John's Wort
Lonicera Honeysuckle

Lonicera Honeysuckle
Mahonia
Malus Crab Apple
Sorbus aucuparia Rowan
Pernettya Prickly Heath
Prunus avium Wild Cherry
Prunus Spinosa Blackthorn
Pyracantha Firethorn
Rhus Sumac
Ribes Ornamental Currant
Sambucus nigra Elder
Skimmia
Stranvaesia
Symphoricarpus Snowberry
Taxus Yew

9.3 The landscape masterplan provides a breakdown of the plant species proposed to make-up the site's landscaping. It is apparent that the proportions of species likely to attract bird activity are much greater than the recommended 10% mix. The proposed hedge planting proposes to be 80% made up of species identified above, with the equivalent figure for the structural planting proposed to be 55% of the mix. Some proposed tree species should also be avoided such as *Malus*, although the proportion and location of these is not provided.

9.4 There is a general presumption against the creation of open water bodies within 13 km of an airfield, due to the increased likelihood of bird strike as a result of habitat formation within close proximity to the flight path. The site masterplan shows the creation of a SUD ponds. The SUDS needs to be designed and managed in such a way so as to not attract additional birdlife, and in particular species such as gulls, herons, geese, and other waterfowl. It is not clear if the SUD pond will be a permanent water features, however if they will contain standing water for prolonged periods, NIA would expect that the ponds are fully planted with vegetation (reeds) so that open water is not visible and that they are fully netted whilst the reed planting is established. The ponds should also have suitably quick drain down times after a period of flooding. Ponding of water during the construction phase should also be avoided.

9.5 To assess the potential for the proposed scheme to attract birds and to assess the bird hazard risk to aircraft, NIA expect that a bird strike risk assessment be presented with the application, which would then be incorporated into a bird hazard management plan for the site. Until this work is satisfactorily undertaken, Newcastle International Airport object to the application.

9.6 Lighting

Lighting can act as a distraction to pilots whilst landing at the airport. All street lighting should be cut off so as to not distract pilots flying aircraft overhead. There is also a risk that lighting, if set out in certain patterns, could be confused as operational lighting to pilots. The application does not provide detail of the street lighting to be installed, and as such a suitable condition, such as that set out below, should be attached to any permission granted.

Notwithstanding the approved plans the proposed lighting on site shall be fully cut off so as to prevent light spill into the atmosphere.

9.7 Physical development

As the development site is in close proximity to the airports approaching / ascending flightpath there is a potential risk that any tall structures, such as cranes during construction, could impact on the airport's protected navigational surfaces. Cranes could also be a collision hazard for low flying aircraft (i.e. helicopters) in low visibility. Broadly any structure above 40m above ordnance datum (AOD) could impact on protected surfaces, but precise heights above ordnance datum (AOD), which will likely vary across the site, need to be provided to the airport to confirm this. NIA request that a condition be applied to a grant of planning permission requiring specification and maximum heights (above AOD) of physical structures to be built on site to be provided, as well as the provision of a crane method statement. The condition should only be approved after consultation with Newcastle International Airport. Cranes should also be lowered during poor visibility and should be fitted with low intensity omni directional lights, which can be set out in the method statement. Below is suggested wording for a condition to enforce this.

Prior to the commencement of development, a method statement for crane operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport.

9.8 Summary of response

9.9 Newcastle International Airport object to the proposed scheme in the interests of safeguarding the operation of aircraft. The applicant needs to provide a bird strike risk assessment and management plan, in order for the airport to assess the potential increased risk of strikes occurring as a result of this development.

10. Northumbrian Water

10.1 With regard to surface water, we would have no issues to raise with the above application, provided the application is carried out in strict accordance with the submitted Flood Risk and Drainage Assessment, which states that surface water from the proposed development will discharge directly to the existing watercourse.

10.2 With regard to foul flows, we would have no issues to raise with the above planning application provided the application is approved and carried out in accordance with the submitted Flood Risk Assessment, which states that foul flows will discharge to the public sewerage network at manhole 2801 via an offsite rising main.

10.3 We would therefore request that the Flood Risk Assessment form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

11. Nexus

11.1 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.

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

11.3 The developer should include Nexus in discussions regarding the pair of bus stops in the vicinity of the proposed site access junction on the A1056, Killingworth Way. For a development of this size, Nexus require a shelter for the westbound bus stop as it would better serve the new community. As Nexus are responsible for the maintenance of bus stops in Tyne and Wear, Nexus require £300pa for the upkeep and maintenance of the shelter for a period of five years.

12. Police Architectural Liaison Officer

12.1 No objections.

12.2 Having looked at the proposed layout and boundary treatments there are some positive features i.e. in curtilage parking, back to back gardens and units overlooking the streets with corner turning units. The only thing missing is the lack of detail regarding proposed security to the individual units. More info on this can be found by visiting www.securedbydesign.com and looking at SBD Homes 2016. SBD is the police approved security scheme "Secured by Design" and has been shown to reduce crime in a lot of areas across the country.

Representations

2 letters of objection has been received from Entek raising the following issues; It is our belief that residential development is not appropriate so close to an active industrial estate, busy roads and the East Coast Mainline Railway.

Noise

Our main concern is the ability for the noise monitoring period to accurately reflect the various activities taking place within the industrial estate. Our Entek premises have irregular delivery movements and a range of potentially noisy processes taking place which could affect the noise assessment and the appropriate mitigation in the form of standoff quite significantly. This would obviously have a bearing on the scale and nature of the housing development which could be accommodated.

Entek have also submitted their own noise report. This states measurements have identified relatively high noise levels (up to 67 bB(A) at the western site boundary as well as identifying several items of noise generating plant and equipment. In particular, it has been found that, whilst noise levels at the northern end of the western site boundary are relatively constant and are generally dominated by broadband noise from ventilation and cooling plant and equipment, noise levels at the southern end of the western site boundary are highly variable. The variation in noise levels at the southern end of the western site boundary has been identified as being due to a hammer mill, which operates intermittently, and HGV deliveries to the silos. In addition, both the hammer mill and the compressors associated with the HGVs have been shown to be tonal, with the dominant tones being at low frequencies.

Given the findings of this survey, the design of any residential units must account for the relatively high noise levels that have been measured in order to avoid

disturbance to potential future residents. In particular, the fact that the hammer mill and the unloading HGV are both intermittent sources, are both tonal and for both sources the dominant tones are at low frequencies will need to be addressed in the design of any future residential units.

Highways

The Transport Assessment is not adequate and seems to place reliance upon improvements taking place to the Weetslade roundabout as a result of the development at Whitehouse Farm. However, the assessment does not give an indicative timescale and how this proposal can place reliance upon those proposals

We have significant concerns as to the impact upon the surrounding road network.

Ground Investigations

The geo-environmental assessment is only a preliminary one at whilst it raises little concern, it is noted that no ground investigation has been undertaken, as such it is very difficult to come to any meaningful conclusion regarding the risk either from future occupiers or neighbouring properties.

The second letter submitted following the consultation on the amended plans raises the following issues;

This land should remain safeguarded as intended in the New Local Plan.

Any development approved would need to ensure that suitable control is put in place that any mitigation installed through physical mitigation or through standoff is enforceable. Therefore all responsibility from protection of future residents lies with the Council. The application in its current guise cannot adequately address the noise impacts which would occur and the potential for enforcement or statutory noise nuisance is unacceptable.

The sustainable credentials of the location are significantly overstated and the site access design cannot be appropriately assessed.

Pedestrian/vehicular safety.

Poor pedestrian environment

Too far away from shops and health care facilities.

The wagonway to Camperdown is unlit and overlooked.

Poor environment and unsafe for cyclists.

The site is not accessible by bus.

The proposal does not provide sustainable access contrary to the advice in paragraph 32 of NPPF.

It is our longer term aspiration to expand the business both in terms of service offering and the scale of operations within North Tyneside. The proposal in its current guise has the potential to result in a situation which could compromise our operations and therefore we feel it is necessary to object to the proposal.