

Item No: 5.3
Application No: 16/01764/REM Author: Aidan Dobinson Booth
Date valid: 22 November 2016 ☎: 0191 643 6333
Target: 21 February 2017 Ward: Valley
decision date:

Application type: approval of reserved matters

Location: Land South of 81 Killingworth Avenue, Backworth, NEWCASTLE UPON TYNE

Proposal: Erection of 145 residential dwellings including 36 affordable dwellings; and creation of new access onto the B1317 and onto Killingworth Avenue. Discharge of conditions 1, 2, 7, 13, 15, 20, 24, 26 and 30 of outline planning permission 14/01687/OUT

Applicant: Robertson Homes, FAO Mr K Thompson Robertson Homes Robertson House Castle Business Park Stirling FK9 4TZ

Agent: Pod Newcastle, FAO Miss Jennifer Naden Toffee Factory Lower Steenberg's Yard Newcastle Upon Tyne NE1 2DF

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1. Main Issues

1.1 The main issues for Members to consider is whether the reserve matters relating to layout, scale, appearance and landscaping of 145 dwellings which are part of outline planning permission 14/01687/OUT are acceptable.

2. Description of the Site

2.1 The site which has outline planning permission measures approximately 16.32ha in area with the southern extent used for growing crops and the northern part is grassed. The site is located to the east of the A19 and B1317. The site is surrounded by native hedgerows and trees. The site is generally flat with a slight rise to the north west. The site is accessed by a spur leading from Killingworth Avenue at the northern end of the site.

2.2 The reserve matters application site is situated to the northern end of the site. The site is bounded to the north by existing housing to the east by Backworth Golf course. The southern part of the site is the remainder of the original site which is also to be developed for housing. To the west is the A19 dual carriageway.

3. Description of the proposed development

3.1 The proposal seeks approval of the reserve matters relating to outline planning permission 14/01687/OUT which are layout, scale, landscaping and appearance for erection of 145 dwellings (Use Class C3) including 36 affordable dwellings and associated infrastructure creation of a new access to the west onto B1317 and onto Killingworth Avenue. The proposal also seeks the discharge of conditions 1, 2, 7, 13, 15, 20, 24, 26 and 30.

4. Relevant Planning History

14/01687/OUT – Erection of around 290 dwellings (including affordable homes) 232 sq m of commercial space, allotments, public space, access to an existing highway, car parking, landscaping and associated works.
Permitted 30.03.15.

5. Development Plan

5.1 North Tyneside Unitary Development Plan (adopted March 2002).

5.2 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)

6.2 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

7.1 Main Issues

7.1 The main issues for Members to consider in this case is whether the reserve matters relating to appearance, landscaping, layout and scale for 145 dwellings which are part of the northern phase of outline planning permission 14/01687/OUT are acceptable.

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 Preliminary Matters

7.4 The principle of building up to 290 residential dwellings on this site was granted outline planning permission on 30 March 2015. Therefore the principle of the development has already been firmly established.

7.5 Layout

7.6 The National Planning Policy Framework (NPPF) states that the Government attaches great importance to the design of the built environment.

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

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

7.9 Policy DCPS No.14 'New Housing Estates Design and layout' aims to encourage the provision of housing which is attractive, safe, secure and well planned. It also sets out recommended privacy distances to ensure adequate separation between dwellings.

7.10 LDD 12 Transport and Highways SPD sets out the Council's adopted parking standards.

7.11 The layout is determined by the proposed road layout and the need to provide a bus route linking the site further to the south with the B1317 to the north. From this main distributor road there will be a series of smaller spurs leading to a series of cul-de-sacs. The dwellings either side of this main distributor road will face onto it helping to create a street.

7.12 Of the 145 dwellings that are proposed as part of this application 36 would be affordable (25%). Of this 36 there would be 21 x 2-bed and 15 x 3 bed dwellings. Of the 109 market dwellings that would be provided there would be 8 x 3 bed and 101 x 4 bed dwellings.

The Council's Design Officer states that the design and layout is well designed with complimentary house types. There are areas of attractive open space with house types arranged well around it. Consideration has been given to emphasising corner units with different materials.

7.13 In terms of privacy distances plot 40 would be set approximately 19m away from plot 48 however given that the two plots do not directly back onto each other this is considered to be acceptable. Plot 123 would be set approximately 20m back to back from plots 117, the same would be true of the houses in the central section of the site. However the dwellings are staggered and given they are detached dwellings there is a degree of space between them and therefore on balance is considered to be acceptable.

7.14 The Highway Network Manager has been consulted and states that the reserved matters applications provides a detailed site layout and is considered to be acceptable in terms of vehicles accessibility, links to Public Rights of Way Network, parking provision and cycle parking. He recommends conditional approval.

7.15 Scale

7.16 Policy H11 states that in determining applications for residential development, the local planning authority will require that any proposals take into account amongst other matters the scale, density and massing.

7.17 In terms of the surroundings there is two storey existing housing to the north along Killingworth Avenue which are two storey dwellings.

7.18 The density of the proposed development is approximately 23 dwellings per hectare, which is low by modern standards. Although it would be a low density, it is officer advice that that it would be acceptable given the site's constraints.

7.19 All of the proposed dwellings are 2 storey in terms of height with some living accommodation being provided in the roofspace in terms of dormers and rooflights and would be in keeping with the scale of surrounding buildings.

7.20 Members need to determine whether the proposed scale is acceptable and whether it would accords with policy H11, T11, DCPS No.14 and LDD12 and weight this in their decision.

7.21 Appearance

7.22 Policy H11 states that in determining applications for residential development amongst other matters, the local planning authority will take into account the quality of its layout and design with particular regard being given to measures to realise a safe and secure environment.

7.23 LDD11, The Design Quality SPD provides guidance on the design of buildings and spaces in North Tyneside. It states that the Council will encourage innovation on the design and layout provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.

7.24 The proposed dwellings would be traditional in terms of character. Some of the dwellings on site would have traditional features such as chimneys and bay windows, further adding to the character that would be create by the proposed development. The Council's Building for Life Officer that the proposed houses are well designed with complimentary house types.

7.25 Landscaping

7.26 Policy E14 states that the Council will seek to protect and conserve existing trees and landscape features within the urban environment and will encourage new planning in association with development.

7.27 Policy H11 states that in determining applications for residential development, local planning authorities will require that any proposals take into account amongst other matters the quality of its layout and landscaping.

7.28 Both the Council's Biodiversity Officer and Landscape Architect states that no landscape details have been provided. However indicative plans have been submitted and further details can be conditioned. The Council's Design Officer

states that there are attractive areas of open space with houses arranged well around it.

7.29 Members need to consider whether the proposed landscaping would be acceptable and in accordance with policies E14 and H11 and weight this in their decision.

7.30 Conclusion

7.31 The principle of residential development on this site has been firmly established by the previous outline planning application. The application relates to those details still to be approved. Officer advice is that the layout, scale, appearance and landscaping is acceptable. Members need to decide whether they consider that these reserved matters are acceptable.

7.32 Conditions attached to the outline planning permission remain valid and will have to be complied with as any development is progressed. It is therefore not necessary to repeat conditions which are already in place. Conditions set out below address issues arising from the consideration of the reserve matters submission.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development shall be carried out in accordance with the following approved plans and documents;

Application Form

Site Local Plan Dwg. No. 796-ROB-SD-00.01A

Overall Site Layout Plan Dwg. No. 796-ROB-SD-10.01B

Adoption Plan Dwg. No. 796-ROB-SD-10.02A

Detailed Site Layout Plan Dwg. No. 796-ROB-SD-10.03C

Boundary Treatment Plan Dwg No. 796-ROB-SD-10.04A

Surface Treatment Plan Dwg. No. 796-ROB-SD-10.05A

Overall Site Layout Plan (Coloured) Dwg. No. 796-ROB-SD-10.06A

SBA2 Plans and Elevations Dwg. No. 796-ROB-SD-30.01aA

SBA3 Plans and Elevations Dwg. No. 796-ROB-SD-30.02aA

Damson Plans and Elevations Dwg. No. 796-ROB-SD-30.01aA

Coral Plans and Elevations Dwg. No. 796-ROB-SD-30.04aA

Coral GR Plans and Elevations Dwg. No. 796-ROB-SD-30.05aA

Coral GR Plans and Elevations Dwg. No. 796-ROB-SD-30.05bA

Tuscan Plans and Elevations Dwg. No. 796-ROB-SD-30.06bA

Juniper Plans and Elevations Dwg. No. 796-ROB-SD-30.07aA

Juniper Plans and Elevations Dwg. No. 796-ROB-SD-30.07bA

Juniper GR Plans and Elevations Dwg. No. 796-ROB-SD-30.08bA

Juniper GR Plans and Elevations Dwg. No. 796-ROB-SD-30.08cA

Ivory Plans and Elevations Dwg. No. 796-ROB-SD-30.09A

Ivory GR Plans and Elevations Dwg. No. 796-ROB-SD-30.10bA

Azure GR Plans and Elevations Dwg. No. 796-ROB-SD-30.11bA

Azure GR Plans and Elevations Dwg. No. 796-ROB-SD-30.11cA

Savannah GR Plans and Elevations Dwg. No. 796-ROB-SD-30.12bA
Savannah GR Plans and Elevations Dwg. No. 796-ROB-SD-30.12cA
Azure Grand Plans and Elevations Dwg. No. 796-ROB-SD-30.13
Design and Access Statement Dwg No. 796-ROB-DAS
Roundabout setting out plan Dwg No. N16302-950_P1
Roundabout long section Dwg. No. N16302-951_P1
Roundabout levels and drainage Dwg. No. N16302-952_P1
White lining and surface finishes Dwg No. N16302-953_P1

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|----|---------------------------------|-------|------|
| 2. | Veh Parking Garaging before Occ | PAR04 | *H11 |
| 3. | Construction Method Statement | SIT05 | *T6 |

4. 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. The scheme shall be retained for the duration of construction of the development and it is breaks down during this period construction shall cease until it has been repaired.

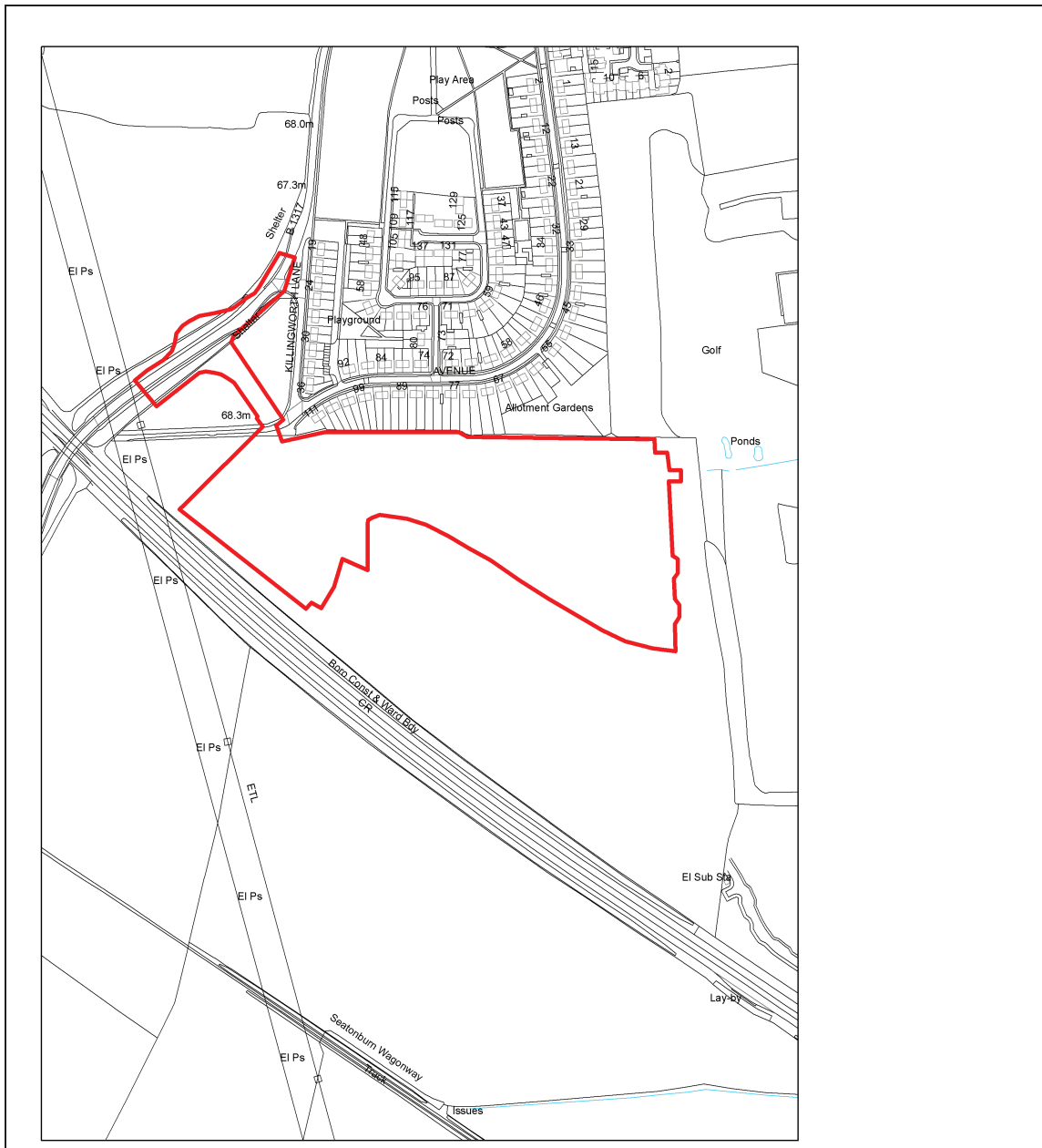
Reason: To ensure the adoptable highway(s) is kept free from mud and debris in the interests of highway safety and having regard to policy T6 of the North Tyneside Unitary Development Plan 2002.

5. No dwelling hereby approved shall be constructed above damp proof course until a fully detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

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

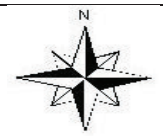
The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord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



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Not to scale
 Date: 02.03.2017

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**Appendix 1 – 16/01764/REM
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Consultations/representations

External Consultees

Internal Consultees

1. Highway Network Manager

1.1 This application is a reserved matters application for 145 residential dwellings including 36 affordable dwellings and creation of new access onto the B1317 and onto Killingworth Avenue. The original application (14/01687/OUT) was granted permission in 2015. As part of the outline permission, the following off site highway works, Section 106 contributions & Travel Plan Bond were agreed:

1.2 Highway works:

1.3 New roundabout at the site access and B1317 Killingworth Lane

Altered access to Killingworth Avenue

Relocation of existing bus lay-by on B1317 Killingworth Lane

Pedestrian refuge on B1317 Killingworth Lane

Provision of a shared pedestrian/cycle connection into existing route NCN 10

1.4 Section 106 agreement:

1.5 Funding of bus routes through site for three years £360,000

Contribution to improvements to Holystone interchange of £207,000

1.6 Travel Plan Bond:

£65,000

1.7 The off site highway works, Section 106 Agreement, Travel Plan Bond & original planning conditions all remain in place. The reserved matters application provides a detailed site layout and it is considered to be acceptable in terms of vehicle accessibility, links to the Public Right of Way Network, parking provision & cycle parking. The detailed layout of the road will be covered by a Section 38 Agreement as part of the construction process. Conditional approval is recommended.

1.8 Recommendation - Conditional Approval

1.9 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

SIT05 - Construction Management

1.10 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.

1.11 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.

2. Environmental Health (Pollution)

2.1 I have no comments to make as they were not applied by the pollution team.

3. Environmental Health (Contaminated Land)

3.1 Not related to contaminated land.

4. Local Lead Flood Authority

4.1 This application is for the erection of 145 residential dwellings including 36 affordable dwellings; and creation of new access onto the B1317 and onto Killingworth Avenue. Discharge of conditions 1, 2, 7, 13, 15, 20, 24, 26 and 30 of outline planning permission 14/01687/OUT.

4.2 The site was granted outline permission in 2015 and following discussions with the developer, the scheme proposed as part of the reserved matters application is acceptable. Approval is recommended.

5. Landscape Architect

5.1 Condition 1: No landscape details have been provided.

6. Biodiversity Officer

6.1 Landscaping Plan

No detail has been provided on landscaping. The plan is an indicative plan with no detail of species mixes or what specific habitats will be going in some of the 'public realm' areas. Therefore a condition will need to be attached to the application regarding the submission of a detailed landscape plan.

I have some concerns about the size of the SUDs pond presently shown on the landscape plan. A series of smaller linked SUDs ponds along the eastern boundary would be far more beneficial from an ecological perspective and would enable links to be made with SUDs features within the housing scheme to the south. A series of smaller SUDs ponds planted with reeds would also be viewed more positively by the airport in terms of bird strike risk. Previous plans at outline stage have shown a number of SUDs ponds (not one large one) and the ecological survey submitted at outline stage recommended at least 3 connected smaller SUDs ponds to benefit biodiversity.

6.2 How does this SUDs system work? Where will the surface water held in the SUDs pond(s) be discharged to and will there be any adverse ecological impacts from this? If the water is discharged into the golf course and there are destructive

works associated with this, then a great crested newt survey may be required, as GCN has previously been found in the golf course ponds. There may need to be a condition on this application that addresses this, to ensure there are no impacts on European protected species.

6.3 The green buffer area shown as 'public realm' to the eastern boundary should be planted with habitats of ecological benefit such as wildflower grassland and scrub planting – not ornamental planting.

6.4 The small area of 'public realm' space to the south of the primary internal road route (next to A19) is planted with too many trees. This area should remain open with meadow grassland and some small groups of native trees.

6.5 The tree planting along the southern end of the primary road route should be replaced with a mixed native hedge along this route. This area is shown on the key as a green corridor, however, an avenue of trees will have limited value as opposed to a native hedge that will provide connectivity and a true green route.

6.6 Bat/bird boxes

This condition has not been discharged yet, however, I want to ensure that as part of this condition, bat slates are provided in some of the houses adjacent to the woodland boundaries and the eastern boundary of the site as these provide the most suitable areas for bat foraging and commuting. This was recommended in the Extended Phase 1 Habitat Survey submitted by BSG as part of the outline application.

7. Design Officer

7.1 The design and layout is well designed with complimentary house types. There are areas of attractive open space with houses arranged well around it. Consideration has been given to emphasising corner units with different materials; however some corner plots need a better side elevation to enhance the street scene. Plots 133 and 142 (Savannah house type) needs a side elevation which contributes positively towards the street scene. Plot 63 (Juniper house type) has two small windows on the side elevation facing the street; again this should be improved, for example, by adding a render band around the windows.

7.2 There is a large number of rendered properties proposed in the scheme – while these are supported in the right locations, the number of rendered units should be reduced on those streets where there are two different developer parcels facing each other in order to provide a more consistent street scene (such as plots 123 to 131).

7.3 Boundary treatments are well considered – only amendments required being to the front of plots 96 and 71 where a fence with brick wall should be used rather than the 1.8m high open boarded fence. This is because both of these boundaries will be highly visible within the street.

7.4 Surface materials are generally well planned across the site. Recommend that all visitor car parking bays should be surfaced in concrete blocks to

contribute towards a well balanced and attractive street scene. This will still be an adoptable material.

7.5 Comments for both application 16/01793/REM and 16/01764/REM

7.6 The house types proposed in each application are different in design; one being more traditional while the other being more contemporary. These could sit comfortably next to each other on the site, if consideration is given to linking together other elements of the design between the applications – such as materials and boundary treatments. For both applications it would be beneficial to see a consistent design for:

Boundary treatments - 16/01793/REM proposes a 1.8 stone wall and fence; 16/01764/REM proposes a brick wall with fence.

Surface materials – agree a consistent design and colour for block paving to shared and private driveways.

Window colour – agree to use either grey/green or white windows.

7.7 The above points should be considered across the whole site or at the very least on those streets where the two schemes connect.

8. County Archaeologist

8.1 Archaeological Services Durham University are currently archaeologically excavating a prehistoric enclosed settlement just within or just adjacent to the this site. Finds include prehistoric pottery, flint, tools and a quernstone (for grinding corn). Unfortunately, half of the enclosure has been destroyed by the A19. The archaeological work should be finished in the New Year.

8.2 I recommend that Archaeological Services Durham University (who are working for The Northumberland Estates and Cussins ref 14/01687/OUT and 16/01793/REM) are asked to overlay their excavation area onto the proposed development plan.

8.3 If the excavation area extends into the development site, the archaeological conditions listed below are required.

8.4 If the excavation area lies immediately adjacent to the development site, I would ask that it is fenced off with orange plastic fencing until the archaeological excavation is finished, to prevent damage to archaeological remains from construction machinery on the adjacent Robertson Homes Site. Could this be conditioned?

8.5 If the archaeological excavation area lies well outside the development site, then no archaeological conditions will be required.

8.6 Archaeological Excavation and Recording Condition

No groundworks or development shall commence until a programme of archaeological excavation has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any

archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved Unitary Development Plan Policy E19/6 and paragraph 141 of the NPPF.

8.7 Archaeological Post Excavation Report Condition

The buildings 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 saved Unitary Development Plan Policy E19/6 and paragraph 141 of the NPPF.

8.8 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 the 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 saved Unitary Development Plan Policy E19/6 and paragraph 141 of the NPPF.

External Consultees

9. Police Architectural Liaison Officer

9.1 Having considered the documents I have no objection to it progressing, however I can only find reference to the core principles of Secured By Design (SBD) mentioned in the Design and Access Statement and no further details of the proposed security to the individual dwellings. Secured by Design is a police approved scheme designed to ensure a safe and secure environment for residents and visitors alike. I would recommend that the dwellings be built in accordance with the specifications set out in Secured by Design Homes 2016.

10. Nexus

10.1 No comments.

11. Northumbrian Water

11.1 No comments.

Representations

None.