

Item No: 5.1
Application No: 16/01858/OUT Author: Jane Tuck
Date valid: 15 December 2016 ☎: 0191 643 6331
Target: 16 March 2017 Ward: Tynemouth
decision date:

Application type: outline planning application

Location: Land at Former Grange Interior Building, Bird Street, North Shields

Proposal: Outline application with all matters reserved for the development of 35no. residential units on land comprising the Former Grange Interiors and land adjoining at Bird Street/Beacon Street, North Shields

Applicant: PNorth Group Limited, C/o RMT Accountants Gosforth Park Avenue
Newcastle Upon Tyne Tyne And Wear NE12 8EG

Agent: Viridis Commercial, FAO Paul Green 1 Eland Edge Ponteland
Northumberland NE20 9AY

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Summary of Key Issues and Considerations

1.1 The main issues are

- a) the principle of residential development having regard to the loss of designated employment land and proximity to industrial uses to the east of the site
- b) impact on the character and appearance of the area
- c) impact on amenity of occupiers of nearby residential properties having particular regard to outlook and privacy
- d) impact of noise from existing businesses in the area on new residents
- d) whether sufficient parking and access would be provided

1.2 Members must determine whether the principle of residential development is acceptable and whether or not the proposed development of 35 units can be accommodated on the site.

2.0 Description of the site

2.1 The application site relates to a cleared parcel of land located between Beacon Street and Hudson Street in North Shields. The land is triangular in shape and lies between George Street to the north and Bird Street to the south. The site is approximately 600m from the town centre and was previously used by Grange Kitchens.

2.2 The site is allocated as current employment land within the North Tyneside Unitary Development Plan and is located on the western edge of a wider industrial area to the east of North Shields.

2.3 The application site measures 0.71 hectares. The site slopes southwards and occupies an elevated position above the North Shields Fish Quay.

2.4 The site lies in an area of mixed uses. There is predominantly two storey housing wrapping around the western and southern boundaries of the site. The areas to the north and east are in industrial and commercial uses characterised by a range of mainly brick buildings with roller shutter access doors and some smaller more modern industrial buildings.

2.5 The Northumbria Youth Village and Percy A Hudson Limited, a large timber / builders merchants, are located to the north of the site on George Street.

2.6 To the east of the site is a row of industrial premises including car repairs, an engineering company and a loft conversion company and a range of small businesses in the Kiltech Industrial units at the northern end of Hudson Street, plus a hot food takeaway business.

3.0 Description of the proposal

3.1 The proposal seeks outline planning consent for 35 residential units.

3.2 As the application is in outline form it seeks to establish the principle of developing the site for the residential use with all matters ie access, appearance, landscaping, layout and scale reserved for future consideration.

4.0 Relevant Planning History

15/02046/OUT Outline application with all matters reserved for the development of 34no. residential units. Application withdrawn 11.05.16 (Relates to the same land as current application).

12/01185/OUT Redevelopment of the site and construction of a mixed residential healthcare development. Proposal comprises of 67 bed care home (C2), 32 sheltered flats (C3) and 4 flats (20 units) for specialist health care (C2). (Revised

description and amended plans received 19.02.2013). Approved 20.03.2015 (Relates to the same land as current application).

11/02475/OUT Outline planning permission for a mixed use development comprising a purpose built healthcare centre (D1 Use Class), a nursery with associated play space (D1 Use Class), a maximum 70 bed care home with associated garden amenity space (C2 Use Class), associated car parking and a neighbourhood open space and playsite (Revised Description 10.02.2012). Minded to Grant subject to a S106 Legal Agreement 04.04.2012 (Relates to the same land as current application).

12/00015/DEMGDO Proposed demolition of existing buildings on site. Permitted 08.03.2012

11/00935/OUT Outline application for residential development (indicatively 23 dwellings of which 6 dwellings are to be affordable). Approved 24.01.2012. (Relates to the southern part of the site).

05/02055/OUT Demolition of existing building and redevelop site for residential development. Refused by the Council 20.10.2005 and dismissed at appeal in order to allow proper consideration of the employment land and mixed use policies in the emerging Regional Spatial Strategy and Local Development Framework 31.07.2006.

(Related to the same land as current application).

5.0 Government Policy

5.1 National Planning Policy Framework (March 2012).

5.2 National Planning Practice Guidance (As Amended).

6.0 Development Plan

6.1 North Tyneside Unitary Development Plan (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 (August 2007).

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

6.3 The North Tyneside Local Plan Pre- Submission Draft 2015. Examination in Public November 2016.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues are

- a) the principle of residential development having regard to the loss of designated employment land and proximity to industrial uses to the east of the site
- b) impact on the character and appearance of the area
- c) impact on amenity of occupiers of nearby residential properties having particular regard to outlook and privacy
- d) impact of noise from existing businesses in the area on new residents
- d) whether sufficient parking and access would be provided

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

8.0 Loss of employment land/principle of residential use

8.1 The site is identified as a Current Employment Area/Expansion Land on the proposals map of the North Tyneside Unitary Development Plan 2002.

8.2 The National Planning Policy Framework sets out the Government's commitment to ensuring that the planning system supports sustainable economic growth. At paragraph 22 it states that allocated employment sites should not be protected in the long term by planning policies where it is unlikely that sites will be used for employment purposes. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

8.3 Policy LE1/4 of the UDP states that the Local Planning Authority will seek to ensure that the physical base of the local economy is maintained and protected. A change of use from B1, B2 or B8 would be permitted only where one or more of the following exceptional criteria are met. These are (i) where the new use is essential to encouraging the regeneration of an older urban area, or (ii) where there is no reasonable expectation of the site being used for employment purposes, and the planning benefits of alternative use have been demonstrated, or (iii) where the existing use is out of conformity with, and has an adverse impact on, neighbouring uses.

8.4 The site is identified within the extant Unitary Development Plan as existing employment land. Adopted in 2002 the status of the site as employment land has

subsequently been subject to review and amendment as the nature of the location has changed, the outcome of previous planning applications, review of the Council's evidence regarding employment land and the proposed strategy of the emerging Local Plan. As such these changes mean that whilst this proposal must consider its potential implications for existing employment land; the most up to date evidence and analysis concludes that the effective status in supporting the economic base of the Borough has changed and the principle of bringing forward residential development on the site can be considered acceptable.

8.5 The latest evidence of employment land requirements is provided within the Employment Land Review 2015 (ELR). Based upon the preferred growth scenario identified within the ELR and based upon analysis of job growth, market signals and the attractiveness and suitability of employment land within the Borough, 149 hectares of new additional employment land would be required over the period 2014 to 2032.

8.6 This analysis took into consideration a site survey and analysis of all existing and potential new employment land. The conclusion of this analysis identified that the land at Bird Street was appropriate to release as an Employment Land allocation and reallocate as a Mixed Use development area with sufficient land elsewhere within North Tyneside identified to meet the required delivery of 149 hectares of employment land.

8.7 This conclusion is reflected within the emerging North Tyneside Local Plan with no proposed allocation for employment and the specific site at Bird Street noted as an existing planning permission for residential development. Outline planning consent was granted in March 2015 for a mixed residential healthcare development comprising a 67 bed care home (C2), 32 sheltered flats (C3) and 4 flats (20 units) for specialist health care (C2). Prior to that outline planning consent was granted in 2012 for residential development on the southern part of the site.

8.8 It is officer opinion that the loss of employment land is acceptable as the proposal accords with policy LE1/4 of the UDP and the site is noted as having an existing residential planning permission in the emerging Local Plan.

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

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

8.11 The application site is considered to be a 'windfall site' under policy H5 of the North Tyneside Unitary Development Plan. This states that proposals for housing development on sites not identified for this purpose within the UDP will only be approved where the proposal is on a previously developed site and within the built up area; the proposal is acceptable in terms of its impact on its site, local amenity, the environment and adjoining land uses; the proposal can be accommodated within the existing infrastructure; and the proposal does not have an adverse impact on urban open space provision.

8.12 With regard to the impact that residential properties might have on existing commercial properties, the NPPF also states that amongst other matters planning decisions should aim 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.

8.13 The applicant has submitted a noise report completed in 2016 but based on readings taken in 2005 and 2011. The Manager of Environmental Health officer has advised that little has changed in the adjacent businesses since the readings were taken and there has been no intensification in business and that the main noise source would appear to be vehicular access for deliveries and picking up stored equipment which take place primarily during the daytime.

8.14 In planning consents granted on this site the principle of residential development has been accepted, proposed residential development would not place unreasonable restrictions on existing businesses and that a satisfactory noise scheme could be dealt with at reserved matters stage when a detailed layout is submitted. In this instance an indicative layout has been submitted, and the Manager of Environmental Health has advised that from the information provided in the noise survey, satisfactory internal noise levels could be expected to be achieved within the proposed dwellings without placing unreasonable restrictions on the adjacent businesses.

8.15 The site is in the built up area and the site is previously developed. The proposed development would bring the site into use and would contribute to the regeneration of the area. It is officer opinion that the principle of residential development in this mixed use area is acceptable and the proposal accords with criterion (l) of policy H5 and will not place unreasonable restrictions on the adjacent businesses. Matters relating to the impact of the proposal on its site and adjoining land uses are dealt with later in this report.

8.16 No objections to the proposed development have been received.

8.17 Members must determine whether the loss of employment land is acceptable and whether or not the principle of residential development on this site is acceptable.

9.0 Housing Land Supply

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

9.2 Planning Committee will be aware that following submission of the emerging Local Plan in June 2016 an independent Planning Inspector held hearings as part of an Examination in Public during November and December of 2016. This has been following by consultation on Main Modifications to the Local Plan, for which the consultation period closed on Wednesday March 8th.

9.3 One of the proposed Main Modifications to the Local Plan recently consulted upon alters the housing requirement for North Tyneside and the calculation of the Borough's Five Year Land Supply. These changes have been undertaken in accordance with advice provided by the independent Planning Inspector for the emerging Local Plan. The Council has received objection from elements of the house building industry including the Home Builders Federation to the Main Modifications in relation to the assessment of housing land supply. These objections will require review by the Council and will be forwarded to the Planning Inspector for his final consideration.

9.4 However, following conclusion of this consultation the most up to date assessment of housing land supply, informed by the December 2016 SHLAA Addendum identifies the total potential 5-year housing land supply in the borough at 5,174 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a surplus against the Local Plan requirement (or a 5.56 year supply of housing land).

9.5 It is important to note that this assessment of five year land supply includes over 2,000 homes at proposed housing allocations within the emerging Local Plan. The potential housing land supply from this proposal is included in the assessment that North Tyneside has a 5.56 year supply of housing land. The assessment included for 32 dwellings at this site whilst this outline application is for up to 35 dwellings. Therefore, North Tyneside Council remains dependent upon approval of this scheme if it is to achieve the level of delivery anticipated.

9.6 Although the Council can demonstrate a five year supply of deliverable housing sites, this figure is a minimum rather than a maximum. Further planning permissions that add to the supply of housing can be granted which add to the

choice and range of housing. Paragraph 49 of NPPF makes it clear that housing applications should be considered in the presumption in favour of sustainable development.

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

10.0 Character and appearance

10.1 Paragraph 56 of the NPPF states that 'the government attaches 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 positively to making places better for people'.

10.2 Policy H5 - Windfall Sites of the UDP is relevant and is set out more fully above. This states that the proposal must be acceptable in terms of its impact on its site, local amenity, the environment and adjoining land uses.

10.3 Policy H11 - Design Standards and Development Control Policy Statement No.14 - New Housing Estates - Design and Layout of the UDP, refer to design and layout standards for new residential development including, scale, density, massing, construction, landscaping and materials, provision for parking, access, pedestrian and vehicle circulation and the impact of the proposal on its site, local amenity, the environment and adjoining land uses. Design guidance for high quality design is set out in the Council's LDD11 Supplementary Planning Document on Design Quality.

10.4 The application has been submitted in outline. An indicative layout has been submitted. This shows 35 dwellings of 2 storeys and 3 storeys and 2 storeys with a room in the roof.

10.5 The Council's minimum distances to provide privacy and outlook are set out in DCPS 14. This site is a triangular infill site between existing houses and commercial properties. Where there are 3 storeys the UDP sets out there should be 31m between properties. Some of the 3 storey units are indicated as being less than 31m from existing 2 storey properties in Beacon Street approximately 23.5m at the closest and Bird Street approximately 25m at the closest. There are existing properties in the area that do not meet the privacy distance for 3 storey properties. It is officer opinion that on balance this is acceptable.

10.6 Within the site between proposed properties the proposed back to back distance is approximately 21m therefore the indicative layout does not meet privacy distances within the site. It is officer opinion that is acceptable between proposed properties. Distances of elevations to gables are indicated as less than

12m within the site but officer opinion is that this is acceptable. On balance it is officer opinion the privacy and outlook distances are acceptable.

10.7 The Design Policy Officer supports the proposal and has advised that the indicative layout and elevations show an appropriate design response in terms of scale and height to the surrounding area. There are concerns about some potential impacts from privacy distances on the site however this needs to be balanced with the benefits of bringing a vacant brownfield site back into use.

10.8 The submitted layout is indicative. It is officer opinion that this indicates that the proposed development could be accommodated on the site. Some elements of the proposals are considered inappropriate such as the roof design of house type D and the offshot to Plot 35 does not meet the required privacy distance. The layout and design would be considered in more detail at reserved matters stage.

11.0 Impact on residential amenities

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

11.2 Advice in National Planning Practice Guidance (NPPG) indicates that noise impacts can be mitigated using a variety of measures including an engineered solution to mitigate noise at its source, designing the layout of new development to minimise exposure to noise, using planning conditions to restrict activities and mitigation measures as part of the proposed development such as insulation and acoustic glazing with an alternative means of ventilation to allow windows to remain shut.

11.3 The applicant has submitted a noise report completed in 2016 but based on readings taken in 2005 and 2011. The Manager of Environmental Health has advised that there does not appear to have been any intensification in businesses since the last noise surveys were carried out and that the main noise source would appear to be vehicular movements during the daytime. The Manager of Environmental Health has advised that although the layout is indicative, it is expected from the information submitted in the noise report that satisfactory internal noise levels could be achieved in the dwellings. The noise report sets out these levels can be achieved without recourse to opening windows, and if ventilation is required then a ventilation scheme would also be required to meet satisfactory internal noise levels. A number of gardens face onto Hudson Street and the commercial premises. The noise levels will have to meet the World Health Organisation levels for external amenity space. The noise report has recommended acoustic fences to these gardens.

11.4 The Manager of Environmental Health has advised that should the application be approved, conditions should be imposed relating to the submission of details of a noise scheme to achieve satisfactory noise levels within the proposed dwellings as identified in the submitted noise report, details of ventilation and acoustic fences to gardens along Hudson Street, hours of construction and details of mud and dust mitigation. It is officer opinion that conditions should be imposed requiring details of a noise scheme to be submitted with the reserved matters details as should ventilation details and details of acoustic fences to ensure there is no significant impact from noise on residents of the proposed dwellings.

12.0 Highway issues

12.1 The National Planning Policy Framework states that 'transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives'. Developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment. The NPPF also states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

12.2 Policy H11 and DCPS 14 Housing Developments require that any proposals take into account the provision made for parking, access, pedestrian and vehicular circulation.

12.3 Policy T8 encourages cycling and T9 states that the needs of pedestrians, including people with disabilities and special needs will be given a high priority when considering transport and development issues.

12.4 Supplementary Planning Document LDD12 Transport and Highways sets out the Council's procedures for the assessment of traffic implications of new developments including accessibility, cycle and car parking standards.

12.5 All matters including access have been reserved for consideration at a later stage. A Transport Statement has been submitted with the application which has demonstrated that the affects of traffic on the local network will not be severe and that the site has reasonable links with public transport. The indicative layout shows the main access from Beacon Street and direct driveway accesses from Beacon Street and Bird Street. The Road Network Manager has no objections to the principle of the proposed development and advised that parking provision and detailed layout will be considered as part of any reserved matters application. The Road Network Manager has also advised that on balance approval is recommended subject to conditions relating to submission of details of the new access, closure of existing accesses, turning areas for service vehicles, parking

including for visitors, cycle parking, refuse storage and management of construction works. A section 278 Agreement will also be required.

12.6 It is officer opinion that access and parking can be agreed at reserved matters stage.

13.0 Other issues

13.1 Drainage

13.2 The NPPF and the Planning Practice Guidance aim to ensure that flood risk is taken into consideration at all stages of the planning process in order to avoid inappropriate development in areas at medium to high risk of flooding.

13.3 The Surface Water Management Team commenting as the Local Lead Flood Authority advised that a condition should be imposed relating to a detailed scheme for surface water management to ensure surface water is discharged at an agreed rate from the site.

13.4 Northumbrian Water have requested that if the application is approved a condition is imposed for the submission of details of foul and surface water from the development to be agreed in order to prevent increased risk of flooding.

14.0 Financial Considerations

14.1 The proposal involves the creation of 35 dwellings. The Government pays New Homes Bonus to local authorities to assist them with costs associated with housing growth and payments were first received in the financial year 2011/12. The payments are based on the net addition to the number of dwellings delivered each year, with additional payments made to encourage bringing empty homes back into use, and the provision of affordable homes. Granting consent for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive.

14.2 As the system currently stands, for North Tyneside, for the new increase in dwellings built in 2016/17, the Council will receive funding for the six years from 2018/19. It should be noted, however, that the Government are currently reviewing the operation of the New Homes Bonus Scheme, including reducing the numbers of years for which payments are made. This was outlined in the Government Consultation paper "New Homes Bonus: sharpening the incentive: technical consultation", which they issued in December 2015. This Consultation closed on 10 March 2016, and the Government are yet to report their findings.

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

14.4 Officers have given weight, amongst all other material considerations, to the benefit accrued to the Council as a result of the monies received from central government.

15.0 Planning Obligations

15.1 Policy DC4 of the UDP states that where it can be demonstrated that it is a necessary requirement for the grant of planning permission, agreement will be sought with a developer to enter into a planning obligation/agreement or to make a financial contribution towards infrastructure or other essential elements.

15.2 The Council's Supplementary Planning Document LDD 8 on Planning Obligations was adopted in October 2009. Planning obligations are considered an appropriate tool to ensure that the environment is safeguarded and that necessary infrastructure and facilities are provided to mitigate impacts, ensure enhancements and achieve high quality environment where people choose to live, work, learn and play and should comply with local and national planning policies.

15.3 A planning obligation must be lawful and comply with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010. It must be necessary; directly related to the development; and fairly and reasonably related in scale and kind to the development.

15.4 The applicant has agreed to provide 8 affordable houses on site 75% (6) houses for rent and 25% (2) for shared ownership.

15.5 Policy H8 of the UDP encourages the development of affordable housing based on site suitability and the assessment of local need on housing developments of 25 or more dwellings. The Manager of Housing Strategy supports the application.

15.6 The provision of affordable housing will assist with the Council's targets for the delivery of affordable housing and it is officer opinion that the planning obligation for affordable housing is necessary, directly related to the need for affordable housing in the borough and would be fairly and reasonably related in scale and kind to the development and would comply with the CIL Regulations.

15.7 The applicant has also agreed to provide contributions of £16,940 for health facilities for surgeries in North Shields, £12,617.5 for improvements to playsites at Pearson Park and/or Northumberland Park and £8,015 for improvements to Northumberland Park including footpath resurfacing. The proposed development will result in increased demand/pressures on these facilities in the area.

15.8 The applicant has agreed to provide an apprenticeship on site or £7,000 for training which will secure economic benefits from the development through job creation and address skills gaps.

15.9 The contributions are considered necessary, directly related to the development and would be fairly and reasonably related in scale and kind and would comply with the CIL Regulations.

16. 0 Conclusion

16.1 Members must determine whether the loss of employment land and the principle of residential development are acceptable on this brownfield site which would have regeneration benefits for the area and whether the proposed 35 units can be comfortably accommodated on the site. Access, appearance, landscaping, layout and scale are reserved for future consideration.

16.2 Members must determine whether or not mitigation for noise, proposed for the development can be achieved and whether there will be any significant adverse impacts to the amenities of the residents. It is officer advice the principle of residential development is acceptable subject to conditions and that the application accords with policies H5, H11 and DCPS14 of the UDP, policies in the emerging North Tyneside Local Plan and the National Planning Policy Framework.

RECOMMENDATION: Minded to grant legal agreement req.

It is recommended that members indicate they are minded to approve the application and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application subject to:

- a) the conditions set out below and the amendment to, addition or omission of any other considered necessary;**
- b) the applicant entering into a legal agreement to secure the following:**
 - i) 8 affordable housing units on site**
 - ii) a contribution of £16,940 for health facilities for surgeries in North Shields**
 - iii) a contribution of £12,617.5 for improvements to playsites at Pearson Park and/or Northumberland Park**
 - iv) a contribution of £8,015 for improvements to Northumberland Park including footpath resurfacing**
 - v) an apprenticeship on site or £7000 for training.**

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

- Closure of unused accesses

- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

Conditions/Reasons

- | | | | |
|----|--|-------|-------------------------------------|
| 1. | Approval of Detail Reserved Matters OUT | MAN03 | * |
| 2. | Standard Time Limit 3 yr Res Matters OUT | MAN05 | * |
| 3. | New Access Access Before Devel OUT | ACC08 | *H11 and
DCPS14 |
| 4. | Exist Access Closure By OUT | ACC16 | *6
*1
*H11 and
DCPD14 |
| 5. | Turning Areas Laid Out Before Occ OUT | ACC24 | *refuse
*1
*H11 and
DCPS14 |

6. The details to be submitted pursuant to condition 1 above shall include a scheme for parking, garaging and manoeuvring of vehicles designed in accordance with LDD12 Transport and Highways. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy H11 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

7. The details to be submitted pursuant to condition 1 above shall include existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings. Such levels shall be shown in relation to a fixed and known datum point and shall include details of ground levels of adjoining roads and buildings. 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 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

8. The details to be submitted pursuant to condition 1 above shall include a noise scheme to be submitted in accordance with the Noise Report by Noise and Vibration Associates (NVA) UK dated 22 March 2016 and shall provide details of the window glazing to be provided to habitable rooms identified in the noise report to ensure bedrooms meet the good internal standard of 30 dB LAeq at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB LAeq in accordance with BS8233:2014 and the World Health Organisation Community Noise levels for internal residential houses. The development shall not be carried out other than in accordance with the approved details.

Reason: To protect the occupants of the residential properties from noise disturbance from nearby industrial properties having regard to policies E3, H11 and DCPS 14 of the North Tyneside Unitary Development Plan 2002.

9. No other part of the development shall be commenced until:-

- a) A detailed site investigation has been carried out to establish:
 - i) If the site is contaminated;
 - ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the residents and public use of land;
 - iii) To determine the potential for the pollution of the water environment by contaminants and;
 - iv) The implication for residential development of the site and the quality of the residential environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in

writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed form the planning application.

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

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

Reason: This is required at the outset of the development to ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

10. Gas Investigate no Development GAS06 *

11. Restrict Hours No Construction Sun BH HOU04 *

12. No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in

writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include an site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policies H11 and DCPS14 of the North Tyneside Council Unitary Development Plan 2002

13. Prior to the installation of foul and surface water drainage, a detailed scheme for the disposal of foul and surface water from the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. All surface water shall be captured, controlled and attenuated within the site and discharged at a discharge rate to be agreed. No dwelling shall be occupied until the works for the disposal of foul and surface water drainage have been constructed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage to prevent the increased risk of flooding from any sources having regard to policy H11 and DCPS14 of the North Tyneside Unitary Development Plan 2002 and the National Planning Policy Framework.

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

Reason: To ensure a satisfactory appearance having regard to Policy H11 and DCPS14 of the North Tyneside Council Unitary Development Plan 2002.

15. The details to be submitted pursuant to condition 1 above shall include details of all screen and boundary walls, fences and any other means of

enclosure. Thereafter, the development shall not be carried out other than in accordance with the approved details and the buildings hereby approved shall not be occupied until the details of means of enclosure have been fully implemented.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy H11 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

16. An acoustic fence is required on the north eastern boundary of the site to gardens along Hudson Street. The details to be submitted pursuant to condition 1 above shall include details of an acoustic fence to address noise levels in the gardens. The fence shall be installed prior to occupation of each dwelling requiring an acoustic fence and retained thereafter in accordance with the approved details.

Reason: To protect the occupants of the residential properties from noise disturbance from nearby industrial properties having regard to policies E3, H11 and DCPS 14 of the North Tyneside Unitary Development Plan 2002.

17. The details to be submitted pursuant to condition 1 above shall include details of facilities to be provided for the storage of refuse at the premises. The facilities which should also include the provision of wheeled refuse bins for household waste, recycling and garden waste 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 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

18. Landscape Scheme Required OUT	LAN02	*1 *H11 and DCPS14
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19. Landscape Scheme Implementation Period	LAN06	*H11 and DCPS14
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20. The details to be submitted pursuant to condition 1 above shall include details of secure undercover cycle storage. Thereafter, the development shall not be carried out other than in accordance with the approved details and the

buildings hereby approved shall not be occupied until the details of cycle storage have been fully implemented.

Reason: To comply with the Council's policy on cycle storage regarding residential dwellings having regard to policy H11 of the Council's Unitary Development Plan 2002.

21. The development hereby permitted shall include no more than 35 dwellings.

Reason: More dwellings would result in a denser form of development which would adversely affect the character and appearance of the surrounding area.

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

- Closure of unused accesses
- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

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

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

23. The details to be submitted pursuant to condition 1 above shall include details of a ventilation scheme for habitable rooms likely to be affected by noise from businesses on Hudson Street if windows are opened to ensure an appropriate standard of ventilation that meets as a minimum System 3 of Table 5.2 of Approved Document F Building Regulations. Mechanical ventilation, with an extract vent in each habitable room, must be provided as a minimum for properties located to the boundary of the site adjacent to Hudson Street. For other properties an alternative passive acoustic ventilation will be considered adequate. The development shall not be carried out other than in accordance with the approved details.

Reason: To protect the occupants of the residential properties from noise disturbance from nearby industrial properties having regard to policies E3, H11 and DCPS 14 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.

Informatives

Contact ERH Construct Highway Access (I05)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

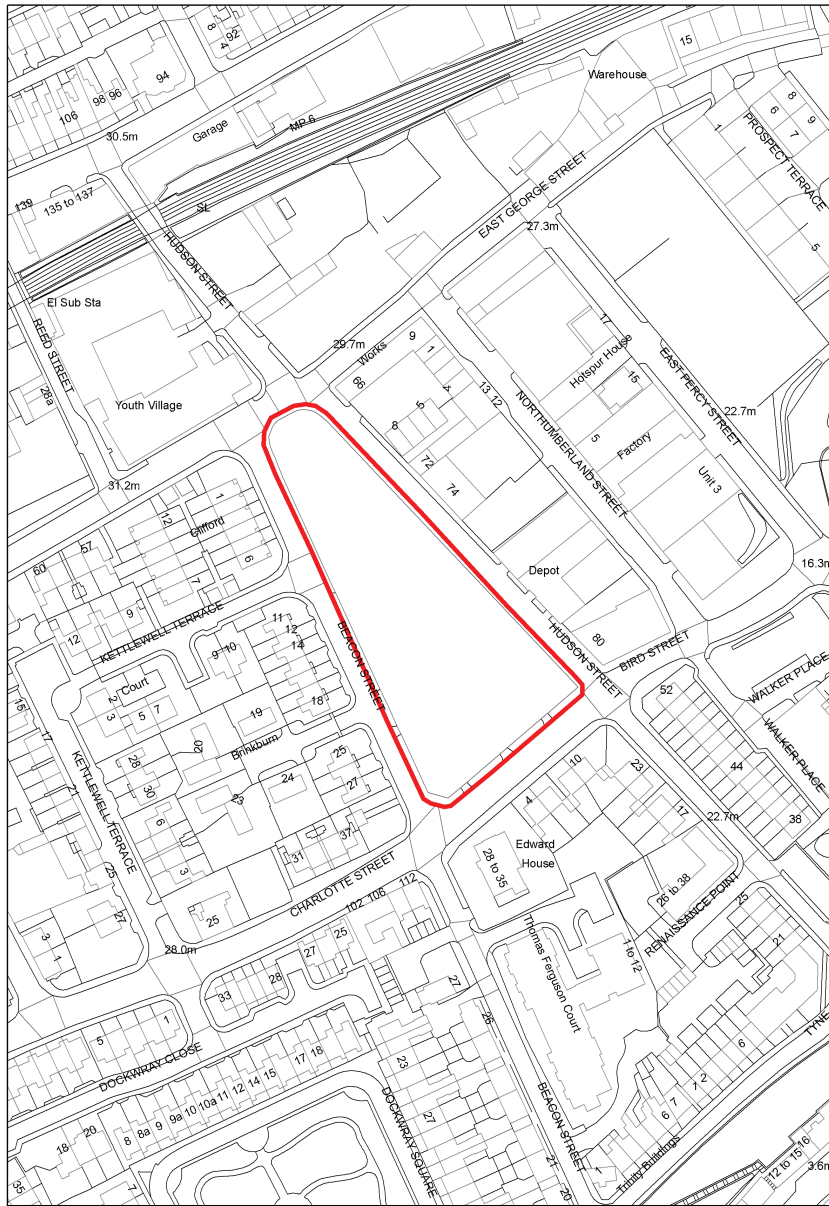
Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure.



Application reference: 16/01858/OUT

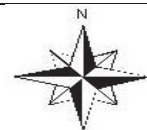
Location: Land at Former Grange Interior Building, Bird Street, North Shields, Tyne And Wear

Proposal: Outline application with all matters reserved for the development of 35no. residential units on land comprising the Former Grange Interiors and land adjoining at Bird Street/Beacon Street, North Shields

Not to scale

Date: 23.03.2017

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Appendix 1 – 16/01858/OUT Item 1

Consultations/representations

1.0 Internal Consultees

1.1 Road Networks Manager

1.2 Whilst all matters are reserved, an indicative layout has been provided with a main access from Beacon Street and direct driveway accesses from both Beacon Street and Bird Street. A Transport Statement was submitted as part of the application, which has demonstrated that the affects of traffic in the local network will not be severe and that the site has reasonable links with public transport. Parking provision, detailed layout etc. Will be looked at as part of any reserved matters application and a condition is included to cover this.

1.3 For these reasons and on balance conditional approval is recommended.

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

- Closure of unused accesses
- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage.

1.5 Conditions are recommended relating to new accesses, closure of existing accesses, turning areas, parking, cycle parking, refuse storage, management of construction works and surface water management.

1.6 Lead Local Flood Authority

1.7 A condition relating to a detailed scheme for surface water management shall be submitted to and agreed with the LPA. All surface water should be captured, controlled and attenuated within the site and discharged at the agreed discharge rate.

1.8 Manager of Environmental Health

1.9 a) Contaminated Land

1.10 As the proposed development represents a sensitive end-use and the site has previously been used for commercial activities, conditions relating to investigation and mitigation, if required for contamination and underground gas should be imposed.

1.11 b) Pollution

1.12 The noise report was completed in 2016, but was based on readings taken in 2005 and 2011. Ordinarily this would be challenged, however I believe that little has changed in the businesses incumbent in the adjacent units, and there has been no intensification of business. The main source of noise from these units would appear to be vehicular access for deliveries/ picking up stored equipment, which appear to be restricted primarily to day time working,

1.13 The noise report concludes that an acoustic fence is required along the edge of the gardens on site facing Hudson Street. The effectiveness of this screen depends on the height of the source, the height of the receptor, and the distance of both from the screen. The fence is likely to provide adequate noise reduction to achieve Laeq (16hour daytime) less than 55 dB(A) to the gardens immediately adjacent to the fence. However there is no data to suggest the noise levels or the noise reduction achieved in gardens at the Beacon Street side of the site.

1.14 The housing layout is not definitive, but reference is made to the proposed site plan of 22 March 2017. The housing facing onto the industrial units on Hudson Street are affected by nominal night time noise, but industrial noise through the daytime. Given the information provided, if the units identified in Figure 8.0 of the Noise Report as requiring additional glazing upgrades, if the glazing specifications stipulated for the units exposed to 66 and 63dB (A) respectively were to be those given in table 2.0 it is expected that they should be able to achieve the required levels of Bedrooms Laeq (16 hour daytime) <35 dB(A), Bedroom Laeq (8 hour nighttime) <30dB(A), Living room Laeq (16 hour daytime) < 35 dB(A).

1.15 The acoustic screen will provide protection at ground floor level. However habitable rooms facing Hudson Street will be exposed to levels up to 63dB(A). Whilst this would be addressed by the glazing specification, individual occupiers should still have the capacity to open their windows.

1.16 If the application is approved conditions should be imposed requiring details of noise mitigation including glazing, ventilation measures and an acoustic fence to gardens, hours of construction and mitigation for mud and dust during construction.

1.17 Policy Design

1.18 The indicative layout and elevations show an appropriate design response in terms of scale and height to the surrounding area. There is a concern about some potential negative impacts from privacy distances on the site, however it is acceptable that this needs to be balanced with the benefits of bringing a derelict brownfield site back into use.

1.19 Some elements of the proposed design are inappropriate such as the roof design of house type d. It is considered that this issue could be overcome through the detailed design discussions at reserved matters.

1.20 Overall, I am supportive of the design and layout of the outline application.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 Northumbrian Water

3.2 The application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development.

3.3 A condition is required for a detailed scheme for the disposal of foul and surface water to be submitted and agreed to prevent increased risk of flooding from any sources. The surface water solution should be developed by working through the Hierarchy of Preference in Revised Part H of the Building Regulations 2010.

3.4 Tyne and Wear County Archaeologist

3.5 No comments to make

3.6 Environment Agency

3.7 No objection

3.8 The development may be subject to amenity pressures if planning permission is granted. The development is within 250m of two permitted waste management facilities R C Butlers and Sons and Rowley's Autos Ltd. The sites are permitted end of life vehicle dismantlers. This could result in excessive noise and dust impacts on residents of the proposed development. Impacts can be reduced by the operators and developer so they can co-exist with a community but they could be regarded as 'bad neighbours' The planning authority should have regard to this advice and ensure new development is not located where they are exposed to significant amenity impacts from existing operations.

3.9 Northumbria Police

3.10 The proposal is considered a low crime risk. As the scheme is in outline there are no details of security of the units therefore I recommend that the whole scheme is built according to the Secured By Design Homes 2016 Guide. I have no objections to the scheme.