

Item No: 5.1
Application No: 17/00452/FUL Author: Rebecca Andison
Date valid: 11 April 2017 ☎: 0191 643 6321
Target decision date: 11 July 2017 Ward: Tynemouth

Application type: full planning application

Location: 14 - 16 Northumberland Square, North Shields, Tyne And Wear, NE30 1PX,

Proposal: Demolition of redundant office extensions to the rear of 13-16 Northumberland Square. Conversion and extension to 13-16 Northumberland Square into 10no self contained apartments and 2no dwelling houses including repair and refurbishment. Erection of 13no Dwellings and 3no apartments to the 'Gap site' bordered by Albion Road and Upper Camden Street with associated parking (AMENDED PLANS)

Applicant: Mr Fergus Mitchell, Quadrant East 16 The Silverlink North Cobalt Business Park WEST ALLOTMENT NE27 0BY

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider are:

- whether the principle of residential development is acceptable on this site;
- the impact of the proposal on the character and appearance of the surrounding area;
- the impact upon neighbours living conditions with particular regard to outlook and privacy; and
- whether sufficient parking and access would be provided.

1.2 Planning law requires that application 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 materials considerations in reaching their decision.

2.0 Description of the Site

2.1 The application relates to a terrace of four properties, located on the north side of Northumberland Square, and two adjacent areas of parking/hard surfacing to the north.

2.2 The buildings (13-16 Northumberland Square) are currently vacant and were formerly occupied by offices. They are in a poor state of repair and have suffered from water damage, vandalism, and wet and dry rot. Dating from the early 19th century, they are 3-storey in height and originally built as residential dwellings. At the rear is a series of mostly 3-storey flat roofed extensions.

2.3 There is a private gated car park, and two areas of hard surfacing, immediately to the rear of the buildings. Beyond this to the north is a public car park, on the corner of Upper Camden Street and Albion Road. Access to the car park is from the west off Upper Camden Street.

2.4 The buildings are Grade II Listed Building and the site is located within Northumberland Square Conservation Area.

2.5 The site adjoins No.12 Northumberland Square to the west. This property is currently vacant and has been granted planning permission for conversion into nine residential apartments. To the east are offices at 17 Northumberland Square. To the east of the site on Albion Road is a public house and a printing workshop with a residential dwelling at the rear.

3.0 Description of the Proposed Development

3.1 Planning permission is sought to redevelop the site for residential use. It is proposed to demolish the rear extensions at 13-16 Northumberland Square and convert the properties into 10no apartments and 2no dwelling houses. 13no dwellings and 3no apartments, with associated parking, are proposed on the land to the rear.

3.2 13-16 Northumberland Square:

3.3 2no 4-bedroom dwellings are proposed in No.'s 14 and 15, 1no 1-bed and 4no 2-bed apartments are proposed in No.13, and 2no 1-bed and 3no 2-bed apartments are proposed in No.16.

3.4 Extensive internal and external alterations are proposed, and a full schedule of work has been provided. Listed building consent has been granted under application 17/00453/LBC.

3.5 It is proposed to demolish the existing rear extensions and make good the rear elevation, including the construction of 2-storey rear extensions to No.'s 13 and 16, and a single storey extension to No.15. The flat roofed dormer would be removed from No.13, and rooflights installed to all the properties.

3.6 The front elevations would be improved by carrying out stone repairs/replacement, re-pointing and refurbishing the windows. It is proposed to re-instate lightwell windows to the basements and to replace the non-original timber entrance porticos at No.'s 14, 15 and 16.

3.7 New build development:

3.8 The new build development comprises two blocks of properties. An L-shaped development, containing 10no 3-bed dwellings and 3no 2 bed apartments, is proposed on the corner fronting Albion Road and Upper Camden Street. The

second block would be located adjacent to the eastern boundary of the site and contains 3no 2-bed dwellings.

3.9 The development is 2-3 storey in height. It includes a traditional 3-storey pitched roofed terrace facing Upper Camden Street, and a 3-storey unit at the corner of Upper Camden Street and Albion Road. When viewed from the front the terraces facing Albion Road appear as 2-storey pitched roofed buildings, but the rear part of the roof is flat to increase the height and allow accommodation to be provided over three floors. The block of three dwellings adjacent to the eastern boundary also has an asymmetrical roof. From the front they are 2-storey but the roof slopes steeply down at the rear, where first floor accommodation is within the roof space.

3.10 Courtyard parking is proposed within the centre of the site. The proposed car park contains 32no spaces and would be accessed via a gated entrance from Upper Camden Street.

4.0 Relevant Planning History

4.1 17/00453/LBC - Demolition of redundant office extensions to the rear of 13-16 Northumberland Square. Conversion and extension to 13-16 Northumberland Square into 10no self contained apartments and 2no dwelling houses including repair and refurbishment – Permitted 06.09.2017

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (March 2012)

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

PLANNING OFFICERS REPORT

7.0 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 on the character and appearance of the site and the surrounding area;
- the impact upon neighbours living conditions with particular regard to outlook and privacy; and
- 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 the report.

8.0 Principle of the Proposed Development

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

8.2 In relation to housing, NPPF states that the Government's key housing objective is to increase significantly the delivery of new homes. In order to achieve this objective government requires that authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been persistent under delivery the buffer should be increased to 20 per cent.

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

8.4 Policy DM1.3 of the Local Plan states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the Development Management process and application of the policies of the Local Plan. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise.

8.5 Policy S1.4 states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development.

8.6 Policy S4.1 states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific deliverable housing sites, including the positive identification of brownfield land and sustainable Greenfield sites that do not fall within the Borough's Green Belt, whilst also making best use of the existing housing stock.

8.7 The Local Plan specifically allocates sites to meet the overall housing needs. The application is allocated for housing (Site 62) within the Local Plan.

8.8 Having regard to the above; the principle of the proposed development should be considered acceptable subject to consideration of the following matters:

9.0 North Tyneside Council 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 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).

9.3 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 not included in the assessment that North Tyneside has a 5.56 year supply of housing land. However, North Tyneside Council remains dependent upon approval of housing if it is to achieve the level of delivery anticipated and approval of this scheme would support overall achievement of our housing requirement.

10.0 Design and Impact on Heritage Assets

10.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

10.2 In respect of designated heritage assets the NPPF states that in determining planning when determining the impact on the significance of a heritage asset great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

10.3 Any harm or loss should require convincing justification. Substantial harm to a grade II listed building should be exceptional and consent should be refused unless there are substantial public benefits. Where a development would lead to less substantial harm, this harm should be weighed against the public benefits of the proposal.

10.4 At paragraph 137 of the NPPF it states:

"Local planning authorities should look for opportunities for new development within conservation areas ...and within the setting of heritage assets to enhance or better reveal their significance."

10.5 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area.

10.6 Policy S6.5 states that the Council aims to pro-actively preserve, promote and enhance its heritage assets.

10.7 Policy DM6.6 states that proposals that affect heritage assets or their settings, will be permitted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of heritage assets in an appropriate manner. As appropriate, development will:

- a. Conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character;
- b. Repair damaged features or reinstate missing features and architectural detailing that contribute to the heritage asset's significance;
- c. Conserve and enhance the spaces between and around buildings including gardens, boundaries, driveways and footpaths;
- d. Remove additions or modifications that are considered harmful to the significance of the heritage asset;
- e. Ensure that additions to heritage assets and within its setting do not harm the significance of the heritage asset;
- f. Demonstrate how heritage assets at risk (national or local) will be brought into repair and, where vacant, re-use, and include phasing information to ensure that works are commenced in a timely manner to ensure there is a halt to the decline;
- g. Be prepared in line with the information set out in the relevant piece(s) of evidence and guidance prepared by North Tyneside Council;
- h. Be accompanied by a heritage statement that informs proposals through understanding the asset, fully assessing the proposed affects of the development and influencing proposals accordingly.

Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment, and cannot be met in any other way.

10.8 Policy DM5.9 (Trees, Woodland and Hedgerows) supports the protection and management of existing woodland, trees, hedgerows and landscape features. It seeks to secure new tree planting and landscaping schemes for new development and, where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

10.9 The Council has produced an SPD on Design Quality, it states that the Council will encourage innovation in design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness generated. It also states that all new buildings should be proportioned to have well-balanced and attractive external appearance.

10.10 Also relevant to this application is the Northumberland Square Conservation Area Character Appraisal 2014.

10.11 The Appraisal notes that a buildings at risk survey was undertaken by North Tyneside Council in 2009 and as a result, Nos. 12-20 Northumberland Square were identified as being vulnerable, with those principally in poor condition being No's 14-16. It also recognises the harm that has been caused through the loss, addition or major alteration of offshoots, such as on the north side of Northumberland Square.

10.12 The 'gap' site on the corner of Albion Road and Upper Camden Street is described as a negative part of the conservation area. The Appraisal states: "The gap site on the corner of Albion Road and Upper Camden Street has a similarly disjointing effect to the development pattern. This large conglomeration of several cleared sites has been surface car-parking for many years, surrounded by tall timber fencing and walls. It creates an impression of under-investment, as well as a weak corner onto Upper Camden Street, and a major gap in what should be a strong edge along Albion Road. It also exposes boxy rear extensions to Nos.12-20 Northumberland Square."

10.13 The Character Appraisal also refers to the badly eroded front gardens of the terraces around Northumberland Square. It states that these gardens were once an integral part of the original domestic character of each house, providing a green setting to the terraces, and setting this high-class development apart from the surrounding tighter back-of-pavement terraces. They would originally have been bound and divided by iron railings and stone plinths.

10.14 There are two issues to be considered when assessing the impact on site and surroundings. Firstly the impact of the physical alterations required to convert the listed buildings and secondly the impact of the development as a whole on the setting of the listed buildings and the character of the conservation area.

10.15 No.'s 13-16 currently in a state of deterioration, and the proposal will lead to the refurbishment and enhancement of both the external elevations and the internal rooms. It will bring significant benefits to an important set of listed buildings by securing their future use and ensuring the restoration of original design features.

10.16 Notable benefits are the removal of the box dormers from the front of No.13, the demolition of the 1960's rear extensions and the reinstatement of the front entrance portico's and front gardens. A single storey rear extension is proposed to No.15. This would result in some harm through the loss of an original wall and window, but the benefits of the scheme are considered to far outweigh this harm. The two storey rear extensions proposed to No's 13 and 16 are considered to be acceptable in terms of their impact on the listed buildings.

10.17 Turning to the new build development and the impact on the wider area.

10.18 The development has been designed to provide an attractive frontage to both Albion Road and Upper Camden Street, and reflects the established building line on both streets. The dwellings on Albion Road are designed with pitched roofs facing the highway and flat roofs at the rear. This allows the principal elevations to reflect the scale of the adjacent two storey properties, while providing a full three storey arrangement at the rear. The corner unit is higher and includes roof level gable projections to add interest and create a focal point.

10.19 Within the centre of the site a 2-storey development is proposed with a flat roof at the front and a steeply pitched roof at the rear. The use of a flat roof at the front would not be acceptable on the main frontages, but is considered to be

acceptable here given that this part of the development is not readily visible from outside the site.

10.20 The development would be brick built with timber windows and doors, and slate covered roofs. It includes design features, such as chimneys, and window styles to reflect the character of the surroundings. Six of the dwellings include inset, first floor rear balconies enclosed by glass balustrades.

10.21 The development includes venvells to accommodate bin storage and gas/electricity metres, avoiding the needs for these to be located on the principle elevations. Car parking would be provided in a rear courtyard, which minimises the impact on the streetscene. Each property would have a small garden to the front, to provide separation from the highway.

10.22 It is officer opinion that the design is of a high quality that responds well to the character of the site and surroundings. The development would enhance the character of the conservation area through the development of a site which currently has a negative impact on the area's character. The development would also secure the restoration of a set of important listed buildings, reinstating their original residential use.

10.23 The Landscape Architect has commented and notes that there are a number of trees along the Albion Road Frontage that are worthy of retention. A detailed landscape scheme will be required to show replacement planting as mitigation for any loss. This can be controlled by condition.

10.24 Members need to determine whether the proposed development would be acceptable in terms of its character and appearance upon the site and on the surrounding area. It is officer opinion that the impact would be acceptable.

11.0 Impact on Residential Amenity

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

11.2 Policy S1.4 of the Local Plan states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

11.3 DM5.19 states that development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to

biodiversity. Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

11.4 Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces.

11.5 The existing buildings at No.'s 13-16 Northumberland Square adjoin offices to the east and a vacant building, with planning permission for residential use, to the west. The proposed residential use is compatible with the adjacent land uses, and the footprint of the existing building would be reduced through the demolition of the rear extensions. It is not therefore considered that the conversion of the existing buildings to residential use would have any adverse impact on adjacent occupiers.

11.6 To the east of the application site is a public house and a print studio/gallery at 6 Albion Road. Part of the rear of No.6 has been converted into residential use following the grant of planning permission in 2014. The property has living room windows facing the application site, at a distance of approximately 2.0m from the boundary. The boundary is formed by a 2.3m high wall and the side elevation of the existing offshoot at 16 Northumberland Square.

11.7 The proposed dwellings within Block C would be located 3.3m from the boundary. They have been designed to mitigate the impact on the adjacent occupiers, with a pitched roof at the rear which slopes away from the boundary. The eaves of the development would be only 0.3m higher than the existing wall.

11.8 Outlook to the south from No.6 would be improved through the demolition of the existing offshoot at the back of Northumberland Square. Therefore while the pitched roof of the development would be visible from No.6's windows and yard it is not considered that it would result in any significant loss of light or outlook. Privacy would not be affected given that only ground floor windows and rooflights are proposed facing the boundary. The resident of No.6 has confirmed that they have no objections to the development.

11.9 Turning to the living conditions of future occupiers of the development. A minimum separation distance of 34m is provided between facing rear windows within the development. This is considered to be sufficient to provide an acceptable level of privacy. Where first floor balconies are proposed, these are inset and screened by walls on either side.

11.10 Room sizes within the development are considered to be acceptable, and all rooms are served by windows to provide acceptable standards of light and outlook. Each property would have limited rear gardens, ranging from 12-19 sq m in area. In officer opinion the level of outdoor amenity space is acceptable given that the area is characterised by terraced houses with limited outdoor

space, and when taking into account the generous internal living space within the development.

11.11 The impact of noise from the adjacent public house of the amenity of future residents is an important consideration. The public house has a beer garden to the rear which is located directly adjacent to the rear gardens of two of the proposed dwellings.

11.12 The Manager of Environmental Health has commented and raises concern regarding the impact of noise from the beer garden and traffic. She notes that a noise assessment has been submitted, but noise monitoring was carried out on week nights in February when the beer garden is unlikely to be busy. She notes that the properties directly to the rear do not have habitable windows facing the beer garden, but there are habitable windows in the properties on Albion Road adjacent to the beer garden. The Manager of Environmental Health recommends that sound mitigation measures will be required to mitigate the impact on these rooms.

11.13 Members need to consider whether the impact on the residential amenity of existing and future residents is acceptable. It is officer advice that impact on residential amenity is acceptable subject to the imposition of conditions as recommended by the Manager of Environmental Health.

12.0 Car Parking and Access

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

12.2 All developments that generate significant amounts of movements should be supported by a Transport Statement or 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.

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

12.4 Local Plan Policy DM7.4 New Development and Transport states that the Council and its partners will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents health and well-being.

12.5 The Council's adopted parking standards are set out in LDD12 'Transport and Highways'.

12.6 The development contains 2no 4-bed units, 10no 3-bed units, 13no 2-bed units and 3no 1-bed units. Under the maximum parking standards set out in LLD12 42no parking spaces, plus 10no visitor spaces would be required. The development includes a car park containing 32no parking spaces, accessed from a gated access off Upper Camden Street.

12.7 The applicant has submitted a statement to justify the reduced level of parking. They state that the nature of the proposal (modest houses and flats) are not anticipated to result in multi-car ownership households, and that the two larger family dwellings have been allocated 2no on-site parking spaces each. They also note that the site is very well served by public transport and is within very short walking distance of local services and amenities.

12.8 While the development does not meet the maximum parking standards the level of parking is considered to be acceptable when taking into account the town centre location and the proximity to services and public transport. The parking requirements of the existing offices has also been considered. The existing building comprises 2580m² of B1 office space, requiring 86no car parking spaces under the standards set out in LDD12.

12.9 The Highway Network Manager has provided comments. He considers that an acceptable level of parking has been provided given the location of the site. The means of access and refuse storage are also considered to be acceptable.

12.10 Taking the above factors into account, in officer opinion the impact on the highway network is acceptable.

12.11 Members need to consider whether the proposal would accord with the advice in NPPF, Policy DM7.4 and LDD12 and weight this in their decision.

13.0 Other Matters

13.1 Contamination

13.2 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.

13.3 Policy DM5.18 of the Local Plan states that where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which shows that investigations have been carried and set out detailed measures to allow the development to go ahead safely and without adverse affect.

13.4 The Contaminated Land Officer has been consulted. She has recommended conditional approval.

13.5 Flooding

13.6 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.

13.7 Policy DM5.12 of the Local Plan states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

13.8 All new development should contribute positively to actively reducing flood risk in line with national policy, through avoidance, reduction, management and mitigation.

In addition to the requirements of national policy, development will avoid and manage flood risk by:

a. Helping to achieve the flood management goals of the North Tyneside Surface Water Management Plan and Northumbria Catchment Flood Management Plans; and

b. According with the Council's Strategic Flood Risk Assessment, including meeting the requirement for a Flood Risk Assessment for sites over 0.5ha in identified Critical Drainage Areas.

13.9 Policy DM5.14 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems (unless otherwise updated and/or superseded). A reduction in surface water run off rates will be sought for all new development. On brownfield sites, surface water run off rates post development should be limited to a maximum of 50% of the flows discharged immediately prior to development where appropriate and achievable. For greenfield sites, surface water run off post development must meet or exceed the infiltration capacity of the greenfield prior to development incorporating an allowance for climate change.

13.10 Policy DM5.15 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems (unless otherwise updated and/or superseded).

13.11 It is proposed to cover the central section of car park using permeable paving, with a central gully to act as an overflow. The access roads and remainder of the car park will fall towards this area.

13.12 The site is in Flood Zone 1 (the lowest risk of flooding). Northumbrian Water has been consulted and advised that a detailed scheme for the disposal of foul and surface water from development is required. This can be secured by condition.

13.13 The Council as Local Lead Flood Authority has been consulted and advises that the drainage proposals are acceptable.

13.14 Subject to conditions requiring detailed schemes for the disposal of foul and surface water, it is considered that the proposal would accord with the flooding advice in NPPF.

13.15 Biodiversity

13.16 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment as part of this helping to improve biodiversity amongst other matters.

13.17 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 where possible, contribution to the Government's commitment to halt the overall decline in biodiversity.

13.18 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.

13.19 Policy DM5.5 of the Local Plan states that all development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

13.20 The applicant has submitted a bat survey. No roosting bats were found to be utilising the buildings and the survey concludes that the development would not result in the disturbance, modification or loss of any bat roosts.

13.21 The Biodiversity Officer has commented and raises no objections subject to the imposition of conditions requiring the provision of bat boxes, a detailed landscaping scheme and to control the removal of vegetation during the bird breeding season.

13.22 Natural England have commented and advise that a Habitats regulation Assessment is required to assess the potential impact on the Northumbria Coast SPA as a result of increased recreational disturbance.

13.23 The applicant has submitted a Habitats Regulation Assessment and this is currently being considered by Natural England. An update will be reported to Planning Committee.

13.24 S106 Contributions

13.25 NPPF states that pursuing development requires careful attention to viability. To ensure viability, the costs of any requirements likely to be applied to developments 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 complete returns to a

willing land owner and willing developer to enable the development to be deliverable.

13.26 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.

13.27 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.

13.28 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 appropriate procedure to address this. However, the SPD states that the Council will take a robust stance in relation to the requirements for new development to mitigate its impact on the physical, social, economic and green infrastructure of North Tyneside.

13.29 Policy DM4.7 Affordable Housing of the Local Plan states that the Council will seek 25% of new homes to be affordable, on new housing developments of 11 or more dwellings and gross internal area of more than 1000m², taking into consideration specific site circumstances and economic viability.

13.30 At pre-application stage S106 contributions were requested towards play sites, parks, strategic semi-natural greenspace and libraries.

13.31 The proposal does not include any affordable housing provision or S106 contributions. The applicant has submitted a Viability Appraisal and this has been externally audited to ensure it is robust. The Assessment concludes that financial contributions for Section 106 (including affordable housing) are not viable and would result in the regeneration project not proceeding. The review of the appraisal agrees that there is little scope for generating sufficient return from the development with any S106 contributions.

13.32 When taking into account the significant benefits of the proposal, in terms of regenerating the town centre, improving the conservation area and securing the development of an allocated housing site, it is officer opinion that S106 contributions should not be sought.

13.33 Local Financial Considerations

13.34 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 considerations as far as it is material. Section 70(4) of the 1990 Act (as

amended) defines a local financial 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).

13.35 The proposal involves the creation of 28no 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 fore new dwellings therefore increased the amount of New Homes Bonus, which the Council will potentially receive.

13.36 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 the years 2018/19.

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

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

14.0 Conclusion

14.1 The site is allocated for housing within the Local Plan.

14.2 This is a housing application and therefore should be considered in the presumption in favour of sustainable development. It follows therefore that providing the site is sustainable and it is officer advice that it is, that unless the impact of the development significantly and demonstrably outweigh the benefits that planning permission should be granted.

14.3 Members need to consider whether the proposal will impact on existing land uses, whether the occupants of the proposed dwellings will have a suitable level of residential amenity, whether the development would have an acceptable impact on the character and appearance of the area, and the highway network.

14.4 The proposed development would bring significant regeneration benefits to the town centre and conservation area, through the development of a underused site that detracts from the character of the area, and the provision of additional homes.

14.5 It is officer advice that planning permission should be granted subject to the concerns raised by Natural England being resolved, and the imposition of appropriate conditions.

RECOMMENDATION: Minded to grant on expiry consultation

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

Members are requested to authorise the Head of Law and Governance and the Head of Environment, Housing and Leisure to undertake all necessary procedures (Section 278 Agreement and Section 247/257 Agreement) to secure:

- Provision of new access
- Closure of old access
- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.
 - Elevations proposed 521 : GS106 A
 - Elevations proposed 521 : NS106 B
 - Plans proposed 521 : NS105 B
 - Site plan proposed 521 : SP2 C
 - Second floor plan proposed 521 : GS104
 - First floor plan proposed 521 : GS103
 - Ground floor plan proposed 521 : GS102
 - Plans general arrangement 521 : GS101
 - Proposed sections 521 : NS107
 - Roof plan proposed 521 : GS105
 - Sections and elevations proposed 521 : GS107Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. Restrict Hours No Construction Sun BH HOU00 *
4

4. Restrict Hours No Demolition Sun BH HOU00 *
5

5. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan 2017.

6. No other part of the development shall be occupied until the means of access has been altered in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan 2017.

7. Within 3 month(s) of the new/altered access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb/removing the existing bellmouth and reinstating the footway verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user having regard to policy DM7.4 of the North Tyneside Local Plan 2017

8. No part of the development shall be occupied until an area has been laid out within the site for vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy DM7.4 of the North Tyneside Local Plan 2017.

9. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy DM7.4 of the North Tyneside Local Plan 2017.

10. Construction Method Statement - Major SIT007 *

11. Prior to occupation of the development details of facilities to be provided for the storage of refuse at the premises and a refuse management scheme must be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policy DM7.9 of the North Tyneside Local Plan 2017.

12. Cycle Parking

PAR00 *
6

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

Reason: To ensure adequate parking facilities and in the interests of highway safety having regard to policy DM7.4 of the North Tyneside Local Plan 2017 and LDD12.

14. Prior to the occupation of the development a fully detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be planted in accordance with these details within the first planting and seeding seasons following the commencement of development. 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 DM5.9 of the North Tyneside Local Plan 2017.

15. No vegetation removal shall take place in the bird nesting season (March-August) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds and the results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

16. Prior to occupation of the development 2no Schwegler 2FE Wall-mounted Bat Shelters must installed on the south elevation of the development and thereafter retained. Details of the location of the bat boxes must be first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

17. Prior to the commencement of any site clearance works or development within the northern car park there shall be submitted to the Local Planning Authority for their approval a scheme showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a vertical and horizontal framework of scaffolding or post and rail fencing, to a height of 1.5 metres, well braced to resist impacts and supporting

either cleft chestnut pale or chain link fencing and sited at a minimum distance from the tree equivalent to the crown spread.

No site clearance works or the development itself shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- a) There shall be no changes in ground levels;
- b) No materials or plant shall be stored;
- c) No buildings or temporary buildings shall be erected or stationed;
- d) No materials or waste shall be burnt;
- e) No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority, and
- f) In carrying out the development, the developer shall conform with the recommendations in BS 5837:2012 in relation to the protection of trees during construction.

Reason: This information is required pre development to ensure that trees and hedges are adequately protected from damage from the start of development; having regard to policy DM5.9 of the North Tyneside Local Plan.

18. There shall be no site storage or parking of (plant) vehicles within the root protection area of any tree within the site or adjacent to the boundary of the site. No utilities or drainage should be located within the root protection areas of the trees. Where installation or alteration to existing underground services has been agreed near or adjacent to trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).

Reason: To ensure that trees and hedges are adequately protected from damage; having regard to policy DM5.9 of the North Tyneside Local Plan.

- | | | |
|---|------------|---|
| 19. Tree work to accord with BS3998 | TPO00
2 | * |
| 20. Contaminated Land Investigation Housing | CON00
1 | * |
| 21. Gas Investigate no Development | GAS00
6 | * |

22. Notwithstanding any indication of materials which may have been given in the application, 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, 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 Policies DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

23. Notwithstanding condition 1, prior to the occupation of any part of the development hereby approved details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing

by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details 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 DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

24. The roof of the existing building shall be covered in natural British slate, including the re-use of existing slates from the building.

Reason: In the interests of the preserving the special architectural and historic interest of the listed building, having regard to policy DM6.6 of the North Tyneside Local Plan 2017.

25. The rooflights must be flush fitting and their design must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the development shall be carried out only in accordance with approved details.

Reason: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

26. Prior to the installation of any new doors or windows within the existing building large scale plans/joinery details and details of their finish/colour treatment must be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

27. Notwithstanding the details shown on the approved plans prior to the construction of any part of the new build development hereby approved above ground level full details of the design and finish of all new windows and doors must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the windows must be set back within the reveal. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of the preserving the character and appearance of the conservation area; having regard to Policies DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

28. Prior to the installation of any external features, including alarm boxes, metre boxes, flues and vents and satellite dishes, full details of their appearance and location must submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the preserving the character and appearance of the conservation area; having regard to Policies DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

29. Notwithstanding any details shown on the approved plans, prior to construction of the new porticos full details of their design, materials and finish must 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: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

30. Within 1 month of demolition of the rear extensions commencing, details of the temporary making good of the rear elevation must 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: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

31. Within 6 months of demolition of the rear extensions, a scheme to permanently make good the rear elevations must 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: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

32. Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course a detailed scheme for the disposal of foul and surface water from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. No dwelling shall be occupied until the details hereby approved have been constructed and thereafter permanently retained.

Reason: To provide a satisfactory means of drainage and prevent the increased risk of flooding from any sources in accordance with the NPPF and Policy DM5.12 of the North Tyneside Local Plan 2017.

33. Prior to occupation of the development the applicant shall carry out the following works, which are to be agreed with North Tyneside Council via Section 278 and 245/247 Agreements:

- Provision of new access
- Closure of old access
- 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 implemented prior to the occupation of any dwelling and retained thereafter.

34. Wheel Wash

SIT008 *

35. Prior to construction of any part of the development hereby approved above ground level, a noise scheme to address noise arising from the Odd Fellows Public House, including customer noise from the beer garden, shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include a sound attenuation scheme in accordance with BS8233 and the World Health Organisation community noise guidelines to show that all habitable rooms are provided with sound attenuation measures to achieve a resultant noise level of below 30 dB LAeq and a maximum noise level of 45dB for bedrooms, and 35 dB LAeq for living rooms. Thereafter the noise scheme shall be implemented in accordance with the agreed details prior to occupation of the development

Reason: To safeguard the occupiers of development from any discomfort or loss of amenity in accordance with policy DM5.19 of the North Tyneside Local Plan 2017.

36. Prior to construction of any part of the development hereby approved above ground level, a ventilation scheme, to ensure an appropriate standard of ventilation with windows closed, must be submitted and approved in writing by the Local Planning Authority. Where the internal noise levels specified in BS8233 are not achievable, with windows open, due to the external noise environment, an alternative mechanical ventilation, such as mechanical heat recovery (MVHR) system should be provided that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Thereafter the scheme shall be implemented in accordance with the agreed details prior to occupation of the development

Reason: To ensure an appropriate standard of ventilation for new residents in accordance with policy DM5.19 of the North Tyneside Local Plan 2017.

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In the interests of the preserving the special architectural and historic interest of the listed building and the character of the conservation area, having regard to policy DM6.1 and DM6.6 of the North Tyneside Local Plan 2017.

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

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

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

Informatives

Building Regulations Required (I03)

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 applicant is advised that end users are unlikely to be eligible for parking permits in this area and the onus will be on the developer to convey this information to these users. Please contact the Parking Control team on e-mail at parking.control@northtyneside.gov.uk or telephone number (0191) 643 2121 for further information.



Application reference: 17/00452/FUL

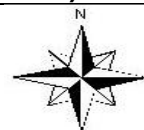
Location: 14 - 16 Northumberland Square, North Shields, NE30 1PX

Proposal: Demolition of redundant office extensions to the rear of 13-16 Northumberland Square. Conversion and extension to 13-16 Northumberland Square into 10no self contained apartments and 2no dwelling houses including repair and refurbishment. Erection of 13no Dwellings and 3no apartments to the 'Gap site' bordered by Albion Road and Upper Camden Street with associated parking (AMENDED PLANS)

Not to scale

Date: 19.10.2017

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Appendix 1 – 17/00452/FUL Item 1

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is for the demolition of redundant office extensions to the rear of 13-16 Northumberland Square, conversion and extension to 13-16 Northumberland Square into 10 self contained apartments and 2 dwelling houses including repair and refurbishment, erection of 13 dwellings and 3 apartments to the 'Gap site' bordered by Albion Road & Upper Camden Street with associated parking.

1.3 The site is accessed via Upper Camden Street via an altered access with gates set back to allow a vehicle to turn in clear of the adopted highway. It is considered that a suitable level of parking has been provided given the location in North Shields town centre with excellent links to public transport and local services. However, the developer should be made aware that end users may not be entitled to parking permits and the onus will be on the developer to convey this information to these users. Refuse will be stored within the site and a management company will organise the putting out and collection of bins on collection days. For these reasons and on balance, conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 The applicant will be required to enter into an appropriate Legal Agreement for the following works:

- Provision of new access
- Closure of old access
- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

1.6 Conditions:

- ACC10 - New Access: Access before Devel
- ACC15 - Altered Access: Access Alt Prior to Occ.
- ACC17 - Exist Access Closure: Misc Points
- ACC25 - Turning Areas: Before Occ
- PAR04 - Veh: Parking, Garaging before Occ
- REF01 - Refuse Storage: Detail, Provide Before Occ
- SIT07 - Construction Method Statement (Major)
- SIT08 - Wheel wash

No development shall commence until a scheme for the following highway works 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

Provision of new access
Closure of old access
Upgrade of footpaths abutting site
Associated street lighting
Associated drainage
Associated road markings
Associated Traffic Regulation Orders
Associated street furniture & signage
Reason: In the interests of highway safety.

Prior to occupation of the development a scheme for the provision of secure undercover cycle parking shall be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.
Reason: In the interests of highway safety.

Notwithstanding the details submitted, the proposed refuse management arrangements shall be set out in accordance with the details supplied. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.
Reason: In the interests of highway safety.

Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.
Reason: To ensure adequate parking facilities and in the interests of highway safety.

1.7 Informatives:

I05 - Contact ERH: Construct Highway Access
I08 - Contact ERH: Works to footway.
I10 - No Doors/Gates to Project over Highways
I12 - Contact ERH Erect Scaffolding on Rd
I13 - Don't obstruct Highway, Build Materials
I45 - Street Naming & Numbering
I46 - Highway Inspection before dvlpt

The applicant is advised that end users are unlikely to be eligible for parking permits in this area and the onus will be on the developer to convey this information to these users. Please contact the Parking Control team on e-mail at parking.control@northtyneside.gov.uk or telephone number (0191) 643 2121 for further information.

1.8 Biodiversity Officer

1.9 The bat survey for this application concluded that no roosting bats were found to be utilising

the buildings and deemed that the development will not result in the disturbance, modification or loss of any bat roosts and therefore will not impact upon bat populations. The report recommends the provision of bat boxes within the scheme which should be made a condition of the application.

1.10 I have no objection to the above application, subject to the following conditions being attached to the application:-

- 2 Schwegler 2FE Wall-mounted Bat Shelters to be installed within the scheme on the south elevation of the development. Details of the location of the bat boxes to be agreed in writing with the Councils Ecologist prior to development commencing.

- Vegetation removal must not be undertaken during the bird nesting season (March-August inclusive) unless a survey by a qualified ecologist has confirmed the absence of nesting birds immediately prior to removal.

- A detailed landscape scheme should be submitted to the Local Authority for approval prior to development commencing and should include native species of benefit to biodiversity.

1.11 Landscape Architect

1.12 The proposed development area is located on land currently being utilised as an existing car parking area and also a number of redundant extensions connected to the rear of office space situated along (13-16) Northumberland Square. The site boundary is contained to the north and west by the junction of Albion Road and Upper Camden Street and to the east by The Oddfellows (PH) and further extensions to nearby offices and retail businesses. The site area (including existing buildings) is 0.35hec and is currently divided up by a number of brick walls, which contain several compartments of derelict land and redundant car parking areas. Most of the existing surface area is tarmac hard surfacing in relation to the car park areas and concrete bases left over from previously demolished buildings. There are no significant soft landscaped areas, however a number of Sycamore (Acer) and Ash (Fraxinus) trees occupy the frontage boundary strip along (Albion Road and Upper Camden Street) bordering the development area. The trees are of advanced nursery stock size, with a number showing good shape and size for the species.

1.13 A number of the trees occupying the (Albion Road) frontage are worthy of retention, if not in their entirety and the applicant should consider their significance within the context of the proposed development design. In relation to the proposed residential units a detailed Landscape Scheme element to the design should also be submitted, with reference to the layout of the general external areas and gardens, including their associated communal areas (hard and soft) specifying material(s) colour and type. This should take into account the plant species of the immediate and wider area, including type and sizes.

1.14 The Contractors site access and set up area are to be submitted for approval prior to commencement of any proposed works. In conjunction with this a tree protection

Method Statement (MS) should also be provided. This should detail, with dimensions, the extent and boundary (with red line) of the protective fencing to ensure there is no encroachment of the working areas upon the canopy and/or root zones of the trees.

1.15 No site storage or parking of (plant) vehicles to be located within the root protection area of any tree in the area or adjacent to the boundary of the park. No utilities or drainage should be located within the root protection areas of the trees. Where installation or alteration to existing underground services has been agreed near or adjacent to trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).

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

1.17 County Archaeologist

1.18 Ordinarily I would ask that buildings like these are archaeologically recorded prior to conversion. However the Heritage Statement by Capita is thorough and provides a good photographic record. No archaeological work is required.

1.19 Regeneration Team

1.20 The Regeneration Team fully supports the application for the conversion of the vacant former offices on Northumberland Square into flats and houses, and the demolition of unsightly rear extensions, and the development of new apartments and houses at the rear of the site.

1.21 The proposal will improve the area aesthetically by reinstating original features within these listed buildings and conservation area, and also complete the building lines to the rear providing a better townscape.

1.22 The additional dwellings will provide much needed homes for North Shields town centre and they will be located in close proximity to excellent public transport links (Metro station and bus stops) and local amenities for the occupiers.

1.23 Heritage and Design

1.24 The site lies within the Northumberland Square Conservation Area and includes part of a terrace of Grade II listed buildings situated on the north side of Northumberland Square (Nos 13-16). The site is bordered to the north by Albion Road and to the west by Upper Camden Street with timber fencing and vegetation enclosing the undeveloped land to the rear of 13-16 Northumberland Square. Part of this land is currently in use as a public car park with vehicle and pedestrian access via Upper Camden Street.

1.25 The proposal will bring vacant buildings back into their original use and secures the repair and future maintenance of an important set of listed buildings.

The proposed external alterations will significantly enhance the appearance of the property and restore original design features of the building. The 3 storey 1960's rear extensions will be demolished and be replaced by smaller extensions which are more in keeping with the design.

1.26 The new build element has been designed and arranged to respect the character, scale and massing of the local area. The scheme comprises of a mix of residential units including town houses and apartments. The design has an active frontage onto Albion Road and Upper Camden Street and includes a high corner turner feature building to create a focal point. The storage of refuse bins have been incorporated in the design and are to be stored in 'vennels'. The vennels also provide an appropriate area for gas and electricity meters and therefore they are avoided on the principal elevations. Car parking is located to rear of the new built element within an inner court yard which supports an attractive street scene.

1.27 Overall the scheme will enhance the character and appearance of the conservation area through sensitive new build and the restoration of important listed buildings. The scheme is supported subject to the conditions below.

- Rainwater goods shall be metal, windows timber and roof tiles natural slate. No development shall take place until a schedule of samples of all materials has been submitted to the LPA and approved
 - Construction details of windows and doors shall be submitted to the LPA and approved. Windows should be set back within the window reveal unless otherwise agreed by the LPA
 - No alarm boxes or other external features, including meter boxes, satellite dishes or ventilation extraction shall be installed unless approved by the LPA
- Details of boundary treatments should be submitted to the LPA and approved.

1.28 Manager of Environmental Health (Land Contamination)

1.29 The following should be attached to the application:

CON 01

GAS 06

1.30 Local Lead Flood Authority

1.31 I have carried out a review of the above application, and can confirm that following the update on the permeable paving maintenance and the agreement to install an additional road gully within the courtyard, that I am satisfied that the drainage proposals are satisfactory and as such have no objections to the application.

1.32 Manager of Environmental Health (Pollution)

1.33 The site is located within the town centre area of North Shields with commercial and residential properties in close proximity to the site. I am concerned about road traffic noise affecting the proposed residential properties and noise arising from customer voices in the beer garden of the Odd Fellows Public House.

1.34 A noise assessment has been provided to assess noise arising from road traffic using Upper Camden Street and Albion Road and also noise arising from

the public house. The noise monitoring was carried out from Wednesday 1st February to Thursday 2nd February. This would not have included for worst case noise arising from the Odd Fellows Public House, which would be weekends. Noise monitoring was also carried out during the winter months, when external noise would be lower as there would be fewer customers using the external seating areas of the pub. I therefore do not consider that the noise assessment is representative of potential noise arising from the Odd Fellows public house.

1.35 There may also be external plant consisting of extraction plant, air conditioning units and chiller units located to the rear of the public house. I note that the noise assessment has not referred to any potential noise from such sources, this may give rise to noise transmission to the habitable rooms located to the rear.

1.36 I am concerned that the noise assessment has not fully considered noise from the beer garden of the public house and that this may lead to potential restrictions on the activities of the public house as the introduction of residential housing will cause a potential nuisance to arise. Environmental Health has historically received complaints about customer noise from similar premises. The noise report advises on two options to deal with the noise from raised speech including designing the habitable bedrooms so that they do not have a line of sight to the beer garden or installing a higher continuous boundary acoustic fence to break the line of sight. I note that the revised layout drawing shows that there will be no habitable windows overlooking the beer garden for the houses directly to the rear, but this would not be the case for those houses detailed at Terrace A located on Albion Road. I have viewed the external boundary wall of the beer garden and note that this is at a height of around 8 metres, this will help screen noise arising from the beer garden for the new build gardens adjacent to the site. However, noise may still arise from customer voices in the public house beer garden affecting the habitable rooms for those properties located on Albion Road Terrace A and it will be necessary for sound mitigation measures to be incorporated for those habitable rooms.

1.37 If planning approval is to be given I would recommend the following conditions.

Prior to occupation, submit and implement on approval of the local Planning Authority a noise scheme to address the external noise arising from the Odd Fellows Public House including customer noise from the beer garden. Details of the sound attenuating scheme in accordance with BS8233 and the World Health Organisation community noise guidelines must be provided to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms and 35 dB LAeq for living rooms is achieved.

Prior to occupation, submit details of the ventilation scheme for approval in writing and thereafter implemented to ensure an appropriate standard of ventilation, with windows closed, is provided. Where the internal noise levels specified in BS8233 are not achievable, with window open, due to the external noise environment, we expect that an alternative mechanical ventilation, such as mechanical heat recovery (MVHR) system should be provided that addresses

thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

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2.0 Representations

2.1 2no letter of support has been received.

2.2 The owner of 19 Northumberland Square state that they fully support the proposals.

2.3 The residents of 6 Albion Road originally objected to the application on ground of loss of light and outlook. The plans were amended to address their concerns and the residents have confirmed that they are now happy with the proposals.

2.4 1no representation has been received from 5 Northumberland Place

2.5 Assurance is requested that Upper Camden Street will remain open to traffic during the construction.

3.0 External Consultees

3.1 Northumbrian Water

3.2 We note that the submitted drainage plan reflects the connection point to the public sewer identified in our pre-development enquiry response, however a flow restriction is not identified for the flow restrictor chamber.

3.3 As the planning application at present 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, we would therefore request the following condition:

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

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

3.5 Natural England

3.6 There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England.

3.7 No assessment has been provided of the potential impacts that the proposal will have on the Northumbria Coast Special Protection Area (SPA). There is, therefore, currently insufficient information for you to undertake a Habitats

Regulation Assessment of the proposed development. We advise you to obtain the following information:

- An assessment of potential indirect impacts on Northumbria Coast SPA as a result of an increase in recreational disturbance alone or in combination with other relevant plans and projects;
- A strategy for mitigating any identified impacts.

3.8 No assessment has been provided of the potential impacts the proposal will have on the Northumberland Shore SSSI.

3.9 We advise you to obtain the following information in order to assess potential impacts of the proposal on this designated site:

- As the SSSI has certain features in common with the SPA, our advice above applies here as well.

3.10 North Shields Chamber of Trade and Commerce

3.11 We believe that the proposed development as a whole will be very good for North Shields. Northumberland Square is a rare Georgian square in the northeast and is part of the attraction of North Shields for businesses, residents and visitors. It would not be a sensible option for the old Council buildings to remain in their current unoccupied and decaying state. The restoration of the buildings as residences is in line with the general trend now to repopulate the centre of towns; and it is right to propose upmarket dwellings, given that the Square is the base for many professional and similar businesses.

3.12 And we understand the need to have further housing to the rear. One element of the proposals would not be viable without the other; for this to make economic sense for the Council, the project as a whole has to break even or result in a surplus.

3.13 So whilst it is most unfortunate that a free car park will have to go to make way for the housing at the rear, we understand that this is the only way for this development to make sense. However, the need for parking in the town centre remains. Retailers and others who rely on footfall will find business even harder with less customer parking, and in particular, free parking. So we strongly urge the Council as a matter of urgency to find alternative sites for free parking.

3.14 Historic England

3.15 The 19th century was a time of growth and prosperity for North Shields as it capitalised on its prime location at the mouth of the River Tyne and the strong fishing and shipping industries that this supported. Dating from the early 19th century, the grade II listed 13-16 Northumberland Square stand as testament to the aspirations of North Shields' pre-eminent businessmen, whose wealth enabled the foundation of the Georgian 'new town'. The carefully proportioned facades and the sparing but effective use of decoration reflect the desire for modernity and status and, along with the ordered streets and spaces that make up the Northumberland Square Conservation Area, stand in marked contrast to the town's more organic and vernacular development along the river front. The gap site behind the listed buildings has evidence of neither form, having been cleared of all standing structures, but is in an important location as it marks the edge of the conservation and frames this entry point.

3.16 This application proposes alterations to the existing listed buildings and development of the vacant building plot with a new-build perimeter block. Based on the information provided, the proposed scheme has potential to have a positive impact on heritage: first, by returning existing historic buildings that are currently in a poor state of repair to their original residential use and second, by addressing a vacant site that currently doesn't contribute to the significance of the conservation area. As such, the proposal is welcomed in principle, but I do have a number of points for further consideration, relating especially to the works to the listed buildings.

3.17 Good conservation practice proposes minimum intervention and maximum retention when it comes to works to historic buildings. This is because the history of a building is written into its fabric and that innate authenticity is hard to replicate with new materials because it's a quality that can only be achieved with time. Although the application does say that the works are to be approached in a carefully considered manner, I have a couple of areas of some concern.

3.18 The first stems from the ambiguity of the extent of replacement of some elements, primarily timberwork, including the roof structure. If timber is found to be beyond repair and its structural integrity has been compromised then clearly replacement would be necessary; however, this is a major intervention into the building and needs to be informed by a specialist used to dealing with the repair of historic buildings in order for it to be justified and to minimise the impact on the buildings. The same can be said of the proposals for stone repair. Here as well there is mention of stone cleaning but with no information on how or where this will be done. In this instance, I suspect it is to address the algae that have built up where there have been leaks, but if the source of moisture is dealt with then the algae should die off and disappear, potentially avoiding the need to clean at all. Cleaning of any sort involves some risk of damage and should be informed by a good understanding of the likely short and long-term effects on the substrate.

3.19 The second stems from the amount of replacement that is definitely being proposed in some areas, for example, the new slate roof, rainwater goods, plasterwork, and re-glazing of the windows. Again, good practice would see that historic fabric is retained where possible and only replaced where they have come to the end of their useful life rather than as a wholesale precautionary measure. Any historic glazing especially should be retained where possible, as the distinctive appearance of historic glass is not easily imitated in modern glazing, and thus by replacing the glass the character and appearance of the building will be irreversibly altered. Modern glass has a different surface character that affects its reflectivity and transparency in a way that is inauthentic and incompatible with the character of historic buildings and can be particularly damaging on buildings like this where the windows are fundamental to their design and character.

3.20 The desirability to preserve the significance of heritage assets, as enshrined in the Planning (Listed Building and Conservation Areas) Act 1990, is reflected in the National Planning Policy Framework (NPPF) by making the conservation of the historic environment, good design and place making fundamental to sustainable development (para.7 & 17). Achieving sustainable development

involves seeking positive improvements in the quality of the environment (para.9) including, in the case of heritage assets, requiring local planning authorities to look for opportunities to enhance or better reveal their significance (para.137). This principle of this application meets these criteria by bringing a new use to a group of important listed buildings that have suffered much in recent years and by addressing a gap site that does not at present contribute to the character or appearance of the area.

3.21 The NPPF goes on to say, however, that the local authority must take into account the significance of an asset when assessing a proposal so that any conflict between the proposal and the conservation of the asset can be avoided or minimised (para.129). Where there remains conflict that results in harm to the historic building this harm will need clear and convincing justification (para.132). I'm not convinced that this criteria has been met as the proposal for wholesale replacement in some areas could result in the needless loss of historic fabric, and with it the character and authenticity of the buildings.

3.22 Sensitively designed new development can sustain the distinctive local character of conservation areas and enhance their significance, and the proposal to bring these key listed buildings back into residential use and address the unsightly gap site behind them presents a great opportunity to do this. As such, Historic England has no objection to the application in principle but in order to secure a successful scheme the specifications for repair and the amount of replacement will need to be informed by specialists and agreed with yourselves, or at least carefully conditioned. Whilst the design of the new build shows awareness of its context its success is dependant on the quality of its materials and finish, and this similarly will need conditioning. If the local authority is minded to grant consent then I ask that this is done in consultation with your in-house conservation and design advisers.

3.33 Recommendation:

Historic England has no objection to the applications on heritage grounds. We consider that the applications meet the requirements of paragraph 137 the NPPF in principle, but that the issues and safeguards outlined in our advice need to be addressed in order for them to meet the requirements of paragraph 129 and 132.

3.34 In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

3.35 Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.