



North Tyneside Council

Planning Committee

25 June 2021

To be held on **Tuesday, 6 July 2021** commencing at **10.00 am** in Room 0.02, Quadrant, The Silverlink North, Cobalt Business Park, NE27 0BY.

Agenda Item	Page
1. Apologies for absence	
To receive apologies for absence from the meeting.	
2. Appointment of substitutes	
To be informed of the appointment of any substitute members for the meeting.	
3. Declarations of Interest	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	
You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	

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<p>4. Minutes</p> <p>To confirm the minutes of the previous meeting held on 8 June 2021.</p>	5 - 8
<p>5. Planning Officer Reports</p> <p>To receive the attached guidance to members in determining planning applications and to give consideration to the planning applications listed in the following agenda items.</p>	9 - 14
<p>6. 20/01572/FUL, The Grey Horse, Front Street, Camperdown</p> <p>To consider a full planning application from ESV Electrical for conversion of pub (A4) into 7 apartments (C3) with 8 new build apartments to rear, 15no in total, with associated parking.</p>	15 - 56
<p>7. 21/00809/FUL, 7 Greenhills, Killingworth</p> <p>To consider a retrospective full planning application from Mr M Trett for the removal of old fence which only covered part of the property, and erect new fence enclosing existing open space, close boarded timber 1800mm high installed.</p>	57 - 64
<p>8. 21/00768/FUL, Unit 1, Locomotion Business Park, Camperdown Industrial Estate</p> <p>To consider a full planning application from Locomotion Business Park Ltd for demolition of existing industrial building, to make way for a new multi-unit commercial/light industrial building.</p>	65 - 92

Circulation overleaf ...

Members of the Planning Committee:

Councillor Ken Barrie
Councillor Julie Cruddas
Councillor Margaret Hall
Councillor Chris Johnston
Councillor John O'Shea
Councillor Willie Samuel (Chair)

Councillor Trish Brady (Deputy Chair)
Councillor Muriel Green
Councillor John Hunter
Councillor Frank Lott
Councillor Paul Richardson

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Planning Committee

Tuesday, 8 June 2021

Present: Councillor W Samuel (Chair)
Councillors K Barrie, T Brady, J Cruddas, M Hall,
C Johnston, F Lott, T Mulvenna, J O'Shea and
P Richardson

Apologies: Councillors M Green and John Hunter

PQ1/21 Appointment of substitutes

Pursuant to the Council's Constitution the appointment of the following substitute member was reported:

Councillor T Mulvenna for Councillor M A Green

PQ2/21 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ3/21 Minutes

Resolved that the minutes of the meeting held on 18 May 2021 be confirmed and signed by the Chair.

PQ4/21 Elton Street East, Wallsend Tree Preservation Order 2020

The Committee gave consideration as to whether to confirm the making of the Elton Street East, Wallsend Tree Preservation Order 2020.

The Council had been notified of the intention to remove trees from the site of development proposals for a medical centre on Elton Street East, Wallsend. In response the Council had decided to make a Tree Preservation Order (TPO) to protect the trees. The TPO was served on those people with an interest in the land in December 2020. The planning application for the medical centre (20/01582/FUL) was approved on 16 February 2021 with conditions for the replacement of five trees allowing for 6 trees to be removed during the development with five trees being retained.

One objection to the TPO had been received on behalf of Assure Aspire Ltd, the applicants seeking planning permission for the medical centre. The objection was on the grounds that due process has not been followed by the Council in serving the TPO on people with an interest in the land, the trees were not of a suitable quality to warrant retention and the TPO would render the development of the medical centre as undeliverable with a negative impact on the redevelopment of Wallsend town centre.

The Committee considered the objection together with the comments of the planning officers and the Council's landscape architect before deciding whether to:

- a) confirm the TPO without modification;
- b) confirm the TPO with the modifications set out in an appendix to the planning officers report to the Committee, to reflect the terms of the granting of planning permission for the medical centre which permitted the removal of 6 trees and was conditional on the retention of 5 trees and the replacement of 5 trees; or
- c) not to confirm the TPO.

Resolved that the Elton Street East, Wallsend Tree Preservation Order 2020 be confirmed with the modifications set out in an appendix to the planning officers report.

(Reason for decision: The Committee were satisfied it was necessary to confirm the Order with modifications to maintain and safeguard the contribution made by the remaining trees on the site to the landscape and visual amenity of the area and to reflect the terms of the grant of planning permission for the medical centre. Furthermore the Committee were satisfied that due process had been followed in serving the TPO on persons with an interest in the land.)

PQ5/21 99 Station Road, Forest Hall Tree Preservation Order 2021

The Committee gave consideration as to whether to confirm the making of the 99 Station Road, Forest Hall Tree Preservation Order 2020.

The Council had been notified of the intention to prune or remove one sycamore tree to the rear of 99 Station Road, Forest Hall. In response the Council had decided to make a Tree Preservation Order (TPO) to protect the tree. The TPO had been served on those people with an interest in the land in January 2021.

One objection to the TPO had been received from a resident at a neighbouring property, 103 Station Road. The objection was on the grounds that:

- The tree was not in a conservation area and had not been deemed suitable for a TPO in the past.
- The tree was a very large sycamore tree which was not a rare variety of tree. It would cause minimal negative impact on the local environment if removed and contributed little to the visual amenity of the area and was barely visible from main road.
- A lack of previous management had resulted in the tree becoming too large for its location.
- The tree's roots appeared to be damaging the rear lane road surface and it was very close to a water main which, if damaged, could cause serious disruption to surrounding properties. The Committee viewed photographs of the damage and the location of the tree.
- The branches overhang the garden of 103 Station Road presented a risk to the occupiers and the general public in high winds.
- Shading of the tree reduced the enjoyment of the rear garden and growing plants.
- Tree pollen affected objector's health.
- Leaf litter was difficult for the objector to clear, was a slip hazard for pedestrians and attracted rats.
- The tree should be removed or at minimum drastically cut back.
- A TPO would make it more difficult and time consuming for the owner to address the issues raised in the objection.

The Committee considered the objection together with the comments of the planning officers and the Council's landscape architect before deciding whether to:

- a) confirm the TPO without modification;
- b) confirm the TPO with modifications; or
- c) not to confirm the TPO.

Resolved that the 99 Station Road, Forest Hall Tree Preservation Order 2021 be confirmed without modification.

(Reason for decision: The Committee were satisfied it was necessary to confirm the Order without modification to maintain and safeguard the contribution made by the tree to the landscape and visual amenity of the area.)

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PLANNING COMMITTEE

Date: 6 July 2021

PLANNING APPLICATION REPORTS

Background Papers - Access to Information

The background papers used in preparing this schedule are the relevant application files the numbers of which appear at the head of each report. These files are available for inspection at the Council offices at Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside.

Principles to guide members and officers in determining planning applications and making decisions

Interests of the whole community

Members of Planning Committee should determine planning matters in the interests of the whole community of North Tyneside.

All applications should be determined on their respective planning merits.

Members of Planning Committee should not predetermine planning applications nor do anything that may reasonably be taken as giving an indication of having a closed mind towards planning applications before reading the Officers Report and attending the meeting of the Planning Committee and listening to the presentation and debate at the meeting. However, councillors act as representatives of public opinion in their communities and lobbying of members has an important role in the democratic process. Where members of the Planning Committee consider it appropriate to publicly support or oppose a planning application they can do so. This does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Where members publicly support or oppose an application they should ensure that the planning officers are informed, preferably in writing, so that their views can be properly recorded and included in the report to the Planning Committee.

All other members should have regard to these principles when dealing with planning matters and must avoid giving an impression that the Council may have prejudged the matter.

Planning Considerations

Planning decisions should be made on planning considerations and should not be based on immaterial considerations.

The Town and Country Planning Act 1990 as expanded by Government Guidance and decided cases define what matters are material to the determination of planning applications.

It is the responsibility of officers in preparing reports and recommendations to members to identify the material planning considerations and warn members about those matters which are not material planning matters.

Briefly, material planning considerations include:-

- North Tyneside Local Plan (adopted July 2017);
- National policies and advice contained in guidance issued by the Secretary of State, including the National Planning Policy Framework, Planning Practice Guidance, extant Circulars and Ministerial announcements;
- non-statutory planning policies determined by the Council;
- the statutory duty to pay special attention the desirability of preserving or enhancing the character or appearance of conservation areas;
- the statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses;
- representations made by statutory consultees and other persons making representations in response to the publicity given to applications, to the extent that they relate to planning matters.

There is much case law on what are material planning considerations. The consideration must relate to the use and development of land.

Personal considerations and purely financial considerations are not on their own material; they can only be material in exceptional situations and only in so far as they relate to the use and development of land such as, the need to raise income to preserve a listed building which cannot otherwise be achieved.

The planning system does not exist to protect private interests of one person against the activities of another or the commercial interests of one business against the activities of another. The basic question is not whether owners and occupiers or neighbouring properties or trade competitors would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest.

Local opposition or support for the proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is founded upon valid planning reasons which can be substantiated by clear evidence.

It will be inevitable that all the considerations will not point either to grant or refusal. Having identified all the material planning considerations and put to one side all the immaterial considerations, members must come to a carefully balanced decision which can be substantiated if challenged on appeal.

Officers' Advice

All members should pay particular attention to the professional advice and recommendations from officers.

They should only resist such advice, if they have good reasons, based on land use planning grounds which can be substantiated by clear evidence.

Where the Planning Committee resolves to make a decision contrary to a recommendation from officers, members must be aware of their legislative responsibilities under Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to:

When refusing permission:

- state clearly and precisely the full reasons for any refusal including specifying all the policies and proposals in the development plan relevant to the decision; or

When granting permission:

- give a summary of the reasons for granting permission and of the policies and proposals in the development plan relevant to the decision; and
- state clearly and precisely full reasons for each condition imposed, specifying all policies and proposals in the development plan which are relevant to the decision; and
- in the case of each pre-commencement condition, state the reason for the condition being a pre-commencement condition.

And in both cases to give a statement explaining how, in dealing with the application, the LPA has worked with the applicant in a proactive and positive manner based on seeking solutions to problems arising in relation to dealing with the application, having regard to advice in para.s 186-187 of the National Planning Policy Framework.

Lobbying of Planning Committee Members

While recognising that lobbying of members has an important role in the local democratic process, members of Planning Committee should ensure that their response is not such as to give reasonable grounds for their impartiality to be questioned or to indicate that the decision has already been made. If however, members of Committee express an opinion prior to the Planning Committee this does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open

mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Lobbying of Other Members

While recognising that lobbying of members has an important role in the local democratic process, all other members should ensure that their response is not such as to give reasonable grounds for suggesting that the decision has already been made by the Council.

Lobbying

Members of the Planning Committee should ensure that their response to any lobbying is not such as to give reasonable grounds for their impartiality to be questioned. However all members of the Council should ensure that any responses do not give reasonable grounds for suggesting that a decision has already been made by the Council.

Members of the Planning Committee should not act as agents (represent or undertake any work) for people pursuing planning applications nor should they put pressure on officers for a particular recommendation.

**PLANNING APPLICATION REPORTS
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5UT**
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**Unit 1 Locomotion Way Camperdown Industrial Estate Camperdown
NEWCASTLE UPON TYNE**

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Agenda Item 6

Application No: 20/01572/FUL Author: Maxine Ingram
Date valid: 30 March 2021 ☎: 0191 643 6322
Target: 29 June 2021 Ward: Camperdown
decision date:

Application type: full planning application

Location: The Grey Horse, Front Street, Camperdown, NEWCASTLE UPON TYNE, NE12 5UT

Proposal: Conversion of pub (A4) into 7 apartments (C3) with 8 new build apartments to rear - 15no in total with associated parking (amended plans received, amended FRA received 20.04.2021)

Applicant: ESV Electrical Services, Mr Stephen York 18 Falkirk Killingworth Newcastle Upon Tyne NE12 6QA

Agent: Jon Tweddell Planning Ltd, Mr Jon Tweddell Coble Quay Coble Quay Amble NE65 0FB

RECOMMENDATION:

The Committee is recommended to:

- a) indicate that it is minded to grant this application subject to
 - i) an Agreement under Section 106 of the Town and Country Planning Act 1990 and
 - ii) the addition, omission or amendment of any other conditions considered necessary.
- b) authorise the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;
 - Affordable Housing (25%)
 - Ecology and Biodiversity: £2, 925.00 towards mitigating impacts to Burradon Pond Local Wildlife Site (LWS) approx. 300m east of the site and connecting wagonway as a result of increased footfall/dog walking etc.
 - Parks and Greenspaces: £7, 987.00 towards mitigating increased use of the adjacent areas of greenspace and nearby parks. Impact on local area and informal space from increased footfall.
 - Equipped area for play: £10, 500.00 Increased pressure to equipped play sites in the vicinity of the development.
 - Primary Education: £25, 000.00 towards increase in capacity in either existing or new provision.
 - Employment and training: £7, 000 or one apprenticeship.
 - Coastal Mitigation: £2, 265.00 towards coastal mitigation. Full amount to be paid prior to the commencement of the development.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- Principle of the development,
- Impact on the character and appearance of the site and the surrounding area,
- Impact upon the amenity of existing and future residents,
- Impact on highway safety,
- Impact on biodiversity; and,
- Other issues.

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

2.0 Description of the Site

2.1 The application relates to The Grey Horse located within Burradon. The site measures approximately 1, 320 square metres (sqm). The Grey Horse fronts onto the highway (Burradon Road). The site is bound to the east by an area of designated open space and a footpath. To the rear it is bound by the two-storey residential properties of Allanville. To the west it is bound by Nos. 33 and 34 Front Street.

2.2 To the rear of the property were several single storey structures. Members are advised that these structures have already been demolished and the land to the rear of the property has been cleared. The submitted topography survey advises that the site was relatively flat rising slightly in the south east corner.

2.3 Part of the site is located in a wildlife corridor.

3.0 Description of the Proposed Development

3.1 Planning permission is sought to convert the pub (sui generis) into seven apartments (C3) and construct a new building to the rear to accommodate eight apartments with associated parking.

4.0 Relevant Planning History

17/01058/ADV - Illuminated fascia box sign – Permitted 10.10.2017

17/01055/FUL - Variation of condition 8 of planning approval 15/00360/FUL. To extend opening hours until 23:00 Monday to Sunday – Permitted 05.09.2017

15/00360/FUL - Variation of condition 8 of planning application 14/01602/FUL: The premises shall be open for business only between the 11:00 until 14:00 and 16:00 until 22:00 Monday to Sunday – Permitted 22.05.2015

14/01602/FUL - Part change of use of existing pub (Use Class A4) to form a hot food takeaway (Use Class A5). The proposal also includes the installation of an extraction flue to the building (Re-submission 13/02094/FUL) – Permitted 08.12.2014

13/02094/FUL - Change of use of part of existing pub to form takeaway – Refused 02.05.2014

07/00144/FUL - Part change of use of public house to fish and chip takeaway – Refused 30.04.2007. Appeal dismissed 14.1.2008

07/02250/FUL - Erection of a single storey shelter (three sides open) for use as a sheltered smoking area (Retrospective) – Refused 01.10.2007

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 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:

- Principle of the development,
- Impact on the character and appearance of the site and the surrounding area,
- Impact upon the amenity of existing and future residents,
- Impact on highway safety,
- Impact on biodiversity; and,
- Other issues.

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

8.0 Principle of development

8.1 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the LP predate the publication of the revised NPPF however, it is clear from paragraph 213 of the NPPF that: “However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the

publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The council considers that the local plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.2 The National Planning Policy Framework (NPPF) states that at the heart of the Framework is a presumption in favour of sustainable development running through both plan-making and decision taking. For decision taking this means approving development proposals that accord with an up-to-date Plan without delay; or where there are no relevant development plan policies or the policies which are most important are out-of-date grant planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

8.3 To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed. In order to achieve this objective Government requires local planning authorities to identify annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 5% to ensure choice and competition in the market for land. Where there has been a significant under delivery of housing over the previous three years, the buffer should be increased by 20%.

8.4 The underlying principle of national policy is to deliver sustainable development to secure a better quality of life for everyone now and future generations. This principle is key to the role of the planning system in the development process. The aims of how the Local Plan contributes towards achieving sustainable development for North Tyneside are set out under Policy S1.1 ‘Spatial Strategy for Sustainable Development’. This policy sets out the broad spatial strategy for the delivery of the objectives of the Plan.

8.5 Strategic Policy S1.4 ‘General Development Principles’ states that proposals for development will be considered favourably where it can be demonstrated that they would accord with strategic, development management and other area specific policies in the Plan. Amongst other matters, this includes taking into account flood risk, impact on amenity, impact on existing infrastructure and making the most effective and efficient use of land.

8.6 The overarching spatial strategy for housing is to protect and promote cohesive, mixed and thriving communities, offering the right kind of homes in the right locations. The scale of housing provision and its distribution is designed to meet the needs of the existing community and to support economic growth of North Tyneside. Strategic Policy S4.1 ‘Strategic Housing’ sets out the broad strategy for delivering housing.

8.7 LP Policy DM1.3 Presumption in Favour of Sustainable Development states: “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.

8.8 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 – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole; or
- b. Specific policies in the NPPF indicate that development should be restricted.”

8.9 LP Policy S4.3 Distribution of Housing Development Sites states: “The sites allocated for housing development are identified on the Policies Map of the North Tyneside Local Plan 2017, including those identified for both housing and mixed-use schemes. The Strategic Housing Land Availability Assessment 2016 outlines that these sites have an overall capacity of approximately 8,838 homes, assessed as being deliverable and developable over the plan period to 2032.”

8.10 Paragraph 96 of the NPPF advises that planning policies should be based on robust assessments and up-to-date assessments when determining what open space and recreational provision is needed.

8.11 Paragraph 97 of the NPPF states: “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss of the current or former use.”

8.12 Policy DM5.2 ‘Protection of Green Infrastructure’ states: “The loss of any part of the green infrastructure network will only be considered in the following exceptional circumstances:

- a. Where it has been demonstrated that the site no longer has any value to the community in terms of access and function; or,
- b. If it is not a designated wildlife site or providing important biodiversity value; or
- c. If it is not required to meet a shortfall in the provision of that green space type or another green space type; or
- d. The proposed development would be ancillary to the use of green infrastructure and the benefits to green infrastructure would outweigh any loss of open space.

Where development proposals are considered to meet the exceptional circumstances above, permission will only be granted where alternative provision, equivalent to or better than in terms of its quantity and quality, can be

provided in equally accessible locations that maintain or create new green infrastructure connections.

Proposals for new green infrastructure or improvements to existing should seek net gains for biodiversity, improve accessibility and multi functionality of the green infrastructure network and not cause adverse impacts to biodiversity.”

8.13 Policy DM5.3 ‘Green Space Provision and Standards’ states:

“Within North Tyneside, accessible green space will be protected and enhanced to be of the highest quality and value. New development should sustain the current standards of provision, quality and value as recorded in the most up-to-date Green Space Strategy (GSS). Opportunities should be sought to improve provision for new and existing residents.”

8.14 Objections have been received regarding the loss of open space. These objections are noted.

8.15 The applicant has addressed the loss of designated open space within their Planning Statement. They consider that the area of open space to be lost to be an underutilised grassed area that is unlikely to have been significant recreation space in the past. The adjacent footpath and cycle route would not be affected by this development. They consider that the park to the north east of the site is the main focal point of the open space and is more usable than the area to be lost as a result of this development.

8.16 Other than the site access which forms part of an area of designated open space, the remainder of the site is not designated for any purpose in the Local Plan (LP). The open space within the site forms a small part of this wider open space designation (approximately 130 square metres). This open space is bound to the west by The Grey Horse, Allanville to the south, Kirklands and Redford Place to the east and Front Street to the north. A footpath and a footpath/cycle route dissect this wider open space designation. The majority of the open space is located to the north of the footpath/cycle route and is considered to be the most usable part of this wider designation for recreational purposes. The open space that is sited between the two footpaths is largely covered by vegetation. The open space that forms part of the application site is separated from the wider designation by a footpath that links between Front Street and Allanville. This is considered to be the least usable part of the wider designation due to its proximity to the road and separation from the remaining open space. The open space to be lost is amenity grassland and is not considered to serve a significant valuable community function in terms of usability.

8.17 It is clear from the site layout that an area of open space would be retained between the site access and the footpath thereby maintaining a sense of connectivity to the wider designation. Landscaping enhancements are also proposed to the eastern edge of the access which will soften the visual impact of the proposed site access.

8.18 Paragraph 98 of the NPPF advises that planning policies and decisions should protect and enhance public rights of way and access. The proposed

development would not impact on the adjacent footpath or the cycle route located further east of the site.

8.19 Financial contributions towards green infrastructure (ecology and biodiversity, parks and greenspaces and equipped area for play) have also been secured to mitigate the impacts of this development. The details of the financial contributions are set out in section 15 of this report.

8.20 Members need to determine whether the principle of residential development on this site is acceptable, including the loss open space. It is officer advice that, the principle of some form of residential development on this site may be acceptable and the benefits of delivering housing outweighs any harm caused by the loss of the benefits of the loss of approximately 130sqm of designated open space (amenity grassland), subject to all material considerations set out below being addressed.

9.0 North Tyneside 5-Year Housing Land Supply

9.1 Paragraph 73 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and maintain a rolling five-year supply of deliverable housing land. This includes 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 Strategic Housing Availability Assessment 2019/20 (September 2020) identifies the total potential five-year housing land supply in the borough at 4,858 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 5.0 year supply of housing land). It is important to note that this assessment of five-year land supply includes just over 1,800 homes at proposed housing allocations within the Local Plan (2017).

9.3 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.

9.4 The proposed development would assist in supporting the council's objective of meeting the objectively assessed housing need and ensure a mix of housing for both existing and new residents in the borough.

10.0 Impact on character and appearance of the site and the surrounding area

10.1 Paragraph 124 of the NPPF recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 Paragraph 127 of the NPPF states that decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.3 Paragraph 91 of the NPPF, amongst other matters, seeks to promote healthy and safe communities. Decisions should aim to achieve healthy, inclusive and safe places which: promote social interaction....street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; are safe and accessible....enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

10.4 Paragraph 130 of the NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

10.5 LP Policy DM6.1 Design of Development states: “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. Proposals are expected to demonstrate:

- a. A design responsive to landscape features, topography, wildlife habitats, site orientation and existing buildings, incorporating where appropriate the provision of public art;
- b. A positive relationship to neighbouring buildings and spaces;
- c. A safe environment that reduces opportunities for crime and antisocial behaviour;
- d. A coherent, legible and appropriately managed public realm that encourages accessibility by walking, cycling and public transport;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces.”

10.6 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 is generated. It also states that all new

buildings should be proportioned to have a well-balanced and attractive external appearance.

10.7 The objections received regarding loss of visual amenity, loss of/damage to trees, design and impact on landscape are noted.

10.8 The site is located on a prominent position on Front Street. The proposed conversion of the existing pub is sensitive and retains historic features. New dormer windows are proposed to the rear of the existing building. These are in keeping with the character of the property and would not be dominant when viewed from the surrounding area. Furthermore, the proposed conversion would bring a vacant building back into use.

10.9 The proposed new build is located to the rear of the existing building, positioned in the south east corner of the site. The design approach is simple which reflects the simple design of existing housing within the immediate vicinity of the site. The south elevation is bland, although the lack of windows does ensure that issues of privacy for neighbouring residents is addressed.

10.10 Policy DM7.9 'New Development and Waste' states that all developments are expected to:

- a. Provide sustainable waste management during construction and use.
- b. Ensure a suitable location for the storage and collection of waste.
- c. Consider the use of innovative communal waste facilities where practicable.

10.11 The proposed site layout has been amended to reposition the proposed refuse store and cycle store. Small pockets of landscaping within the rear of the site are now included which assist in screening these storage areas and assist in breaking up the car parking. The design comments confirm that this an improved layout. A condition is recommended to ensure that the parking area is constructed using good quality surface materials to ensure that this area is attractive and well-designed. The revised layout demonstrates that this development can accommodate the council's maximum parking standards and provide areas for refuse and cycle storage.

10.12 LP Policy DM5.9 'Trees, Woodlands and Hedgerows' seeks to safeguard existing features such as trees.

10.13 As already discussed, the land to the rear of The Grey Horse has been cleared. Members are advised that the vegetation that did exist on site was not protected and as the site is not located within a conservation area planning permission was not required for its removal.

10.14 A revised landscape plan has been submitted which increased the level of native species to be planted. The Landscape Architect has been consulted. She has recommended a condition to ensure that the landscaping is provided in accordance with the revised landscape plan.

10.15 The proposed new build would be sited adjacent to the footpath that provides connectivity to Front Street and Allanville. This part of the site is currently separated from this footpath by a timber fence. Albeit the proposed new

build would be sited in close proximity to this footpath, it is not considered that it would significantly overshadow it or impact on its usability. The proposed new build would increase natural surveillance to this part of the footpath.

10.16 Members need to consider whether the proposed layout and its design are appropriate and whether this complies with current policy. Officer advice is that the proposed layout is acceptable. As such, the proposed layout complies with policies DM6.1, DM7.9 and DM5.9 of the LP (2017) and the Design Quality SPD.

11.0 Impact upon the amenity of existing and future residents

11.1 The NPPF states that there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles. The environmental role contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.

11.2 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should amongst other matters; mitigate and reduce to a minimum potential adverse impacts resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

11.3 Paragraph 182 of the NPPF advises that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. It goes on to state that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

11.4 Policy S1.4 'General Development Principles' 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.

11.5 Policy DM6.1 'Design of Development' states that proposals are expected to demonstrate a good standard of amenity for existing and future residents and users of buildings and spaces.

11.6 Policy DM5.19 'Pollution' 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.

11.7 Policy DM4.9 'Housing Standards' states that all new homes, both market and affordable, will meet the Government's Nationally Described Space Standard (NDSS).

11.8 The Design Quality SPD states that the quality of accommodation provided in residential development contributes significantly to the quality of life of residents. Residential schemes should provide accommodation of a good size, a good outlook, acceptable shape and layout of rooms and with main habitable rooms receiving daylight and adequate privacy.

11.9 The objections received regarding nuisance, disturbance, visual intrusion, impact on residential amenity and loss of privacy are noted.

11.10 It is not considered that the proposed conversion, including the proposed dormers to rear, would significantly affect the residential amenity of the properties sited on Allanville.

11.11 Alterations are proposed to the west elevation of the existing premises. These alterations include replacing the existing doors and window at ground floor with a door and two windows and the addition of a further window to accommodate the apartment proposed in the roof space. The windows at ground and first floor would serve a kitchen and bathroom and the window proposed to the attic apartment would serve a bedroom. It is not considered that the windows serving habitable rooms would significantly affect the amenity of Nos. 33 and 34 Front Street.

11.12 The internal layout of the apartments proposed within the existing building are not required to comply with the requirements of Policy DM4.9. The internal layouts are considered to be acceptable and habitable rooms are all served by windows. The outlook from the windows is also considered to be acceptable.

11.13 The proposed new build would be located to the north of Nos. 103 and 105 Allanville. Based on the plans provided, a separation distance of approximately 13.5m would exist between the rear of these properties and the proposed building. The pitched roof would pull away from this shared boundary. A cross section to show the height of the proposed building in relation to these neighbouring properties has been provided. This cross section demonstrates that the height of the proposed building would not be significantly higher than these neighbouring properties. However, as the site has been cleared a levels condition is recommended to ensure that the relationship between the existing dwellings and the proposed building is acceptable. Members need to consider whether the outlook from these neighbouring properties is acceptable. On balance, it is officer advice that it is.

11.14 The proposed new build would accommodate two windows to its south elevation at ground floor. These windows would serve bedrooms. The remaining windows to the south elevation are false. Views into the rear gardens serving Nos. 103 and 105 Allanville from the ground floor windows would be obscured by the existing boundary treatment. Members need to consider whether the impact on the privacy of these neighbouring properties is acceptable. On balance, it is officer advice that it is.

11.15 The proposed new build would be located to the north of Nos. 103 and 105 Allanville. Members need to consider whether this part of the proposed development would significantly affect the amount of light entering these

neighbouring properties. On balance, it is officer advice that it is, as any impacts would occur in the evening to the most northern part of their rear gardens.

11.16 The proposed new build would not be sited directly behind No. 107 Allanville. Therefore, it is not considered that this part of the proposed development would significantly affect the residential amenity of any habitable rooms within this property. It is noted that the rear garden serving this neighbouring property extends along part of the south east corner of the application site. The proposed development may affect the amount of light entering this part of the neighbour's rear garden (its most northern and narrow part) in the evening. This impact is considered to be minimal.

11.17 The ground floor windows proposed to the east elevation (Units 10 and 12) would afford views of the boundary treatment enclosing the most northern part of the rear garden serving No. 107 Allanville. Given the width of this part of this neighbour's rear garden it is not considered that the proposed first floor windows to the east elevation (Units 11 and 13) would significantly affect the privacy of this neighbouring property as views would mainly be over it and not into it. The impact on privacy is considered to be minimal.

11.18 The internal layout demonstrates that all habitable rooms within the proposed new build are served by windows. The outlook from some of the ground floor windows would be of the proposed parking area. However, this impact is not considered to be sufficient to sustain a recommendation of refusal.

11.19 The plans provided demonstrate that the proposed new build flats would comply with Policy DM4.9. A condition is recommended to ensure this.

11.20 This site is located adjacent to Front Street therefore Environmental Health have raised concerns regarding road traffic noise, particularly habitable rooms fronting onto the road.

11.21 A noise report has been submitted and this has been considered by Environmental Health. It advises that the recommended internal noise levels will not be achieved with window open which will expose future occupants to noise levels higher than the recommended levels. The noise report recommends a glazing and ventilation strategy for those habitable rooms fronting onto the road and for those with a partial line of sight to Front Street. The noise report recommends Mechanical Ventilation Heat Recovery (MVHR) is provided for the ventilation scheme for those habitable rooms on the northern facade of the development.

11.22 The NPPF, paragraph 54 states "Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." It is clear from the Environmental Health's comments that appropriate mitigation can be secured via condition to protect future occupants from road traffic noise. It is also noted that Environment Health have not raised any objections to the proposed development impacting on existing businesses located to the west and north east of the site.

11.23 Newcastle International Airport Limited (NIAL) has raised no objections to this development relating to aircraft noise.

11.24 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity. Subject to the imposition of the suggested conditions, it is officer advice that the impacts on residential amenity area acceptable. As such, the proposed development accords with the NPPF and LP policies DM4.9, DM6.1 and DM5.19.

12.0 Highways

12.1 The NPPF paragraph 109 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.2 The NPPF paragraph 110 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

12.3 Policy S7.3 states that the Council, will support its partners, who seek to provide a comprehensive, integrated, safe, accessible and efficient public transport network, capable of supporting development proposals and future levels of growth.

12.4 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council 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 resident's health and well-being.

12.5 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

12.6 The site is accessed from Front Street to the eastern side of the building. Parking is proposed to the rear and west of the new build. A total of 20 parking spaces will be provided. Cycle storage and refuse storage are also proposed to the rear of the existing premises.

12.7 Objections have been raised regarding inadequate parking provision, poor traffic and pedestrian safety, poor unsuitable vehicular access and a recent highway incident. These objections are noted.

12.8 The site would be accessed from Front Street. A new site access is proposed to the eastern side of The Grey Horse. Parking is proposed to the rear of The Grey Horse. The level of parking provision proposed in the site complies with the council's current parking standards. Cycle storage is also proposed.

12.9 The site is located within close proximity to existing local services, public transport and recreational areas.

12.10 The Highways Network Manager has been consulted. He has recommended conditional approval.

12.11 The Public Rights of Way Officers comments are noted. However, his suggestions are not considered necessary or directly related to any impacts caused as a result of the proposed development.

12.12 Members need to consider whether the proposal is acceptable in terms of its impact on highway safety and the wider highway network. It is officer advice that subject to conditions the proposal is acceptable.

13.0 Biodiversity

13.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural environment.

13.2 Paragraph 170 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Amongst other matters, this includes minimising the impacts of biodiversity and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

13.3 Paragraph 174 of the NPPF states that when determining planning applications LPA's should aim to protect and enhance biodiversity and geodiversity by following the principles set out in paragraph 175 which includes, amongst other matters, if significant harm cannot be avoided, adequately mitigated, or as a last resort, compensated from the planning permission should be refused.

13.4 LP Policy S5.4 'Biodiversity and Geodiversity' states that these resources will be protected, created, enhanced and managed having regard to their relevant significance.

13.5 LP Policy DM5.5 'Managing effects on Biodiversity and Geodiversity' seeks to protect biodiversity and geodiversity.

13.6 LP Policy DM5.6 'Management of International Sites' seeks to protect internationally designated sites.

13.7 LP Policy DM5.7 'Wildlife Corridors' seeks to protect and enhance the quality and connectivity of the wildlife corridor.

13.8 The Coastal Mitigation SPD contains additional guidance and information on the mitigation expected from development within North Tyneside to prevent adverse impacts on the internationally protected coastline.

13.9 The objections received regarding the impact on wildlife is noted.

13.10 The Biodiversity Officer has been consulted. She has considered the submitted Protected Species Survey which assessed the buildings on the site. No significant impacts were identified subject to all works following a

precautionary method statement. Subject to the imposition of the suggested conditions she has raised no objections.

13.11 The application site is located beyond the 6km buffer of the Northumbria Coast Special Protection Area (SPA). However, it will still have an impact on the coast as result of an increase in recreational disturbance. This development will need to comply with the Coastal Mitigation SPD which provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. This development is required to pay the lower tariff (£151.00 per dwelling). The applicant has agreed to pay this financial contribution.

13.12 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity. It is officer advice that, subject to the imposition of the suggested conditions and securing the coastal mitigation contribution, the proposed development would accord with the NPPF and policy DM5.7 of the Local Plan.

14.0 Other issues

14.1 Flooding

14.2 Paragraph 157 of the NPPF advises that all plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

14.3 The National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

14.4 LP Policy “DM5.12 Development and Flood Risk” 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.

14.5 The objections received regarding inadequate drainage and flood risk are noted.

14.6 The Lead Local Flood Authority (LLFA) has been consulted. He has advised that the applicant will be providing surface water attenuation within the site via the use of an underground tank and permeable paving for up to a 1 in 100 year storm event and will restrict the surface water discharge rate from the site using a hydrobrake and orifice.

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

14.8 Members need to consider whether the proposal is acceptable in terms of its impact on flooding. It is officer advice that subject to conditions it is acceptable.

14.9 Ground conditions

14.10 Paragraph 178 of the NPPF states planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination i.e. mining or land remediation. Paragraph 179 of the NPPF goes on to say that where a site is affected by contamination or land instability issues, responsibility for securing a safe development, rests with the developer and/or landowner. In addition, NPPG makes it clear that planning applications in the defined Coal Mining High Risk Area must be accompanied by a Coal Mining Risk Assessment.

14.11 LP Policy DM5.18 'Contaminated and Unstable Land' states "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...". This report must provide details of site investigations and provide detailed measures to allow the development to go ahead safely and without adverse effect.

14.12 The NPPF sets out that LPAs should define Mineral Safeguarding Areas (MSAs), with further detail included in National Planning Practice Guidance (2014). The whole of the local plan area has been identified as an MSA. Policy DM5.17 Minerals is considered to be relevant.

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

14.14 The Coal Authority has been consulted. They have raised no objections to the proposed development.

14.15 Members need to consider whether the proposal is acceptable in terms of its impact on ground conditions. It is officer advice that subject to conditions it is acceptable.

14.16 Aviation Safety

14.17 Newcastle International Airport Limited (NIAL) has been consulted. They have raised no objections to this development in terms of aviation safety.

14.18 Archaeology

14.19 Paragraph 199 of the NPPF states "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted".

14.20 LP Policy DM6.7 'Archaeological Heritage' seeks to protect, enhance and promote the borough's archaeological heritage and where appropriate, encourage its interpretation and presentation to the public.

14.21 The Tyne and Wear Archaeology Officer has been consulted. She has raised no objection.

14.22 North West Villages Sub Area

14.23 The application site is located in an area identified as being within the North West Sub Area. The proposed development would not prevent the aims of Policy AS8.24 being met.

15.0 S106 Contributions

15.1 The NPPF states that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

15.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations makes it unlawful for a planning obligation to be taken into account in determining a planning application, if it does not meet the three tests set out in Regulation 122. This states that a planning obligation may only constitute a reason for granting 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 related in scale and kind to the development.

15.3 The Council's adopted SPD on Planning Obligations LDD8 (2018) states that the planning obligations are considered an appropriate tool to ensure that the environment is safeguarded and that the necessary infrastructure facilities are provided to mitigate impacts, ensure enhancements and achieve a high-quality environment where people choose to live, work, learn and play.

15.4 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.

15.5 LP S7.1 General Infrastructure and Funding states "The Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of provision. The Council will also work together with other public-sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure. This will include the use of combined and innovative funding schemes to maximise the amount and impact of funding. New development may be required to contribute to infrastructure provision to meet the impact of that growth, through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where:

- a. It is not possible to address unacceptable impacts through the use of a condition; and
- b. The contributions are fair, reasonable, directly related to the development and necessary to make the application acceptable. In determining the level of contributions required from a development, regard will be given to the impact on the economic viability of the scheme."

15.6 LP DM7.2 Development Viability states "The Council is committed to enabling viable and deliverable sustainable development. If the economic viability of a new development is such that it is not reasonably possible to make

payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. In these circumstances the Council may:

- a. Enter negotiations with the applicant over a suitable contribution towards the infrastructure costs of the proposed development, whilst continuing to enable viable and sustainable development;
- b. Consider alternative phasing, through the development period, of any contributions where to do so would sufficiently improve the economic viability of the scheme to enable payment.

When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development."

15.7 LP DM7.5 Employment and Skills states "The Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training..."

15.8 The S106 subgroup of the Investment Programme Board (IPB) has considered the S106 contributions being sought, including viability. The following contributions have been requested:

-Affordable Housing (25%)

-Ecology and Biodiversity: £2, 925.00 towards mitigating impacts to Burradon Pond Local Wildlife Site (LWS) approx. 300m east of the site and connecting wagonway as a result of increased footfall/dog walking etc.

-Parks and Greenspaces: £7, 987.00 towards mitigating increased use of the adjacent areas of greenspace and nearby parks. Impact on local area and informal space from increased footfall.

-Equipped area for play: £10, 500.00 Increased pressure to equipped play sites in the vicinity of the development.

-Primary Education: £25, 000.00 towards increase in capacity in either existing or new provision.

-Employment and training: £7, 000 or one apprenticeship.

-Coastal Mitigation: £2, 265.00 towards coastal mitigation.

15.9 These contributions are considered necessary, directly related to the development and fairly and reasonable relate in scale and kind to the development and therefore comply with the CIL Regulations.

15.10 This development would be CIL liable.

15.11 Members are advised that the applicant has agreed to pay the requested S106 contributions and the coastal mitigation tariff.

16.0 Local Financial Considerations

16.1 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).

16.2 The proposal involves the creation of 15no. new dwellings. Granting planning permission for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive. In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period.

16.3 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.

16.4 In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period.

16.5 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.

17.0 Conclusions

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

17.2 Specifically NPPF states that LPA's should approve development proposals that accord with an up-to-date development plan without delay. However, the NPPF also recognises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

17.3 Part of the application site is designated as open space and a wildlife corridor. Members need to determine whether the benefits of bring a vacant site back into use outweigh the loss of open space. It is officer advice that it does. The application site lies within an existing built-up area and it is located in close proximity to existing local services. In terms of the impact of the development, the consultees are satisfied that the development is acceptable in terms of its impact on the highway network, its impact on flood risk, ecology, the impact on the amenity of existing and future occupants and its overall design and appearance.

17.4 Approval is recommended.

RECOMMENDATION:

The Committee is recommended to:

- c) indicate that it is minded to grant this application subject to**
 - i) an Agreement under Section 106 of the Town and Country Planning Act 1990 and**

4. No part of the development hereby approved shall be occupied 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).

5. The scheme for parking 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).

6. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a 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 (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

7. Notwithstanding Condition 1, prior to the occupation of any part of the development hereby approved details of the provision of wheeled refuse facilities for all waste types and refuse collection management strategy, including identifying a suitable storage area for collection day only and any details of any boundary enclosure, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be provided prior to the occupation of any dwelling hereby approved and permanently retained.

Reason: In order to safeguard the amenities of the area and highway safety having regard to policies DM6.1 of North Tyneside Local Plan (2017).

8. Notwithstanding Condition 1, prior to the occupation of any part of the development hereby a scheme for secure under cover cycle storage, including

details of any boundary enclosure 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 prior to the occupation of the dwelling and retained thereafter.

Reason: In the interests of highway safety having regard to Policy DM7.4 of the North Tyneside Local Plan (2017).

9. Notwithstanding Condition 1, prior to the commencement of any development, a noise scheme in accordance with noise report reference NJD20-0136-001R shall be submitted to and approved in writing by the Local Planning Authority. This scheme must provide details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233:2014. Thereafter, the development shall be carried out in accordance with these agreed details which shall be implemented prior to the occupation of each dwelling and permanently retained.

Reason: This information is required from the outset to ensure appropriate mitigation is provided to safeguard the amenity of future occupants having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

10. Notwithstanding Condition 1, prior to the occupation of any unit hereby approved details of the ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme must ensure an appropriate standard of comfort to prevent overheating and ensure internal noise levels with windows closed comply with BS8233 and the WHO community noise standards at night namely a minimum of night time equivalent noise level of 30 dB (23:00 hours to 07:00 hours) and Maximum noise level of 45dB and daytime equivalent noise level of 35dB (07:00 hours to 23:00 hours) in bedrooms and daytime equivalent noise level (23:00 hours to 07:00 hours) of 35 dB in living rooms. Where the internal noise levels are not achievable, with window open, due to the external noise environment, an alternative ventilation system must be installed that addresses thermal comfort to reduce the need to open windows, unless an overheating assessment is provided to verify that there are no overheating risks. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Where an overheating assessment is provided this must be carried out by a qualified ventilation engineer in accordance with the current CIBSE guidance. Where the property is subject to a risk of overheating an alternative ventilation or cooling system must be provided that is designed to achieve the levels in the current CIBSE guidance. Thereafter, the development shall be carried out in accordance with these agreed details which shall be implemented prior to the occupation of each dwelling hereby approved and permanently retained and maintained.

Reason: To ensure appropriate mitigation is provided to safeguard the amenity of future occupants having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

11. Notwithstanding Condition 1, prior to the occupation of any dwelling 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. These details shall include hedgehog gaps (13cm x 13cm) details of the number of gaps and their location. These agreed details shall be implemented prior to the occupation of any dwelling hereby approved and shall be permanently retained and maintained.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policies DM6.1 and DM5.19 of the North Tyneside Local Plan (2017).

12. No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

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 (2017).

13. Notwithstanding Condition 1, prior to the occupation of any dwelling hereby approved details of 1no. bat box to be installed to the rear of the existing building, including specifications and locations, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of any dwelling hereby approved and permanently maintained and retained.

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 (2017).

14. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a precautionary Bat Method Statement, including the stripping of any roof coverings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset 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 (2017).

15. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a precautionary Hedgehog Method Statement, including a hand search of suitable refugia, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset 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 (2017).

16. Any external lighting to the rear of the building will be low level and low lumen, avoiding use of high intensity security lighting and will be designed in

accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/18 "Bats & Artificial Lighting in the UK".

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 (2017).

17. Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

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 (2017).

18. Notwithstanding Condition 1, all soft landscape works shall be carried out in accordance with drawing no N1064-ONE-ZZ-XX-DR_L-020 P02 approved under condition 1 and to a standard in accordance with the relevant recommendations of British Standard 8545:2014 prior to the occupation of any dwelling hereby approved.

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 (2017).

19. Notwithstanding Condition 1, prior to the occupation of any dwelling hereby approved a schedule of landscape maintenance for a minimum period of 10 years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The maintenance programme is to include the replacement of any plants that are removed, die or become seriously damaged or defective, which shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season. Thereafter the development shall be carried out in accordance with the approved schedule.

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 (2017).

20. Notwithstanding Condition 1, prior to the construction of any part of the new build hereby approved above damp-proof course level a schedule and/or samples of all surfacing materials and external building materials, including doors and windows) 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 DM6.1 of the North Tyneside Local Plan (2017).

21. Notwithstanding Condition 1, prior to the commencement of any construction works on the site details showing the existing and proposed ground levels and levels of thresholds and floor levels of the proposed new build and the existing levels of the adjacent footpath and residential properties of Allanville shall be submitted to and approved in writing by the Local Planning Authority.

Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: This information is required pre-commencement 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 and protecting existing landscape features having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

22. The development hereby approved shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy Revision 2" dated "December 2020". The drainage scheme shall ensure that new development foul flows discharge to the combined sewer at or downstream of manhole 0202 and ensure that new development surface water discharges to the surface water sewer at manhole 9215. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer. Details of the final surface water discharge rate shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details which shall be permanently retained and maintained.

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

23. Notwithstanding Condition 1, the proposed new build dwellings must comply with the housing standards set out under Policy DM4.9 of the North Tyneside Local Plan (2017).

Reason: To ensure appropriate living conditions for future occupiers are provided in accordance with Policy DM4.9 of the North Tyneside Local Plan (2017).

24. No part of the development shall be occupied until an area has been laid out within the site for refuse 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).

25. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by

the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

26. No development shall be commenced until a Desk Study (Phase 1) has been completed and a written sampling strategy (scope of works) for the contamination site investigation is submitted to, and agreed in writing by, the Local Planning Authority before the commencement of site investigation works.

The Desk Study Report should be written in accordance with the current government guidelines including but not exclusive of those including the BS10175 2011 +A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management - Environment Agency.

Reason: This information is required from the outset ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

27. Prior to commencement of development a detailed Site Investigation (Phase 2) must be carried out including an interpretative report on potential contamination of the site. This must be prepared by an appropriately qualified person and submitted to and approved in writing by the LPA to establish:

- i) If the site is contaminated;
- ii) To assess the degree and nature of the contamination present, and an assessment whether significant risk is likely to arise to the end users and public use of land, building (existing or proposed) or the environment, including adjoining land;
- iii) To determine the potential for the pollution of the water environment by contaminants and;
- iv) an appraisal of remedial options, and proposal of the preferred option(s).

The Site Investigation report must include the following information:

- A site plan with sampling points and log;
- Results of sampling and monitoring carried out in accordance with sampling strategy, and;
- An interpretative report on potential contamination of the site, conclusions must be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation).

The Site Investigation report should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

28. Prior to the commencement of the development a detailed Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The remediation method must include phase 1 and 2 reports in accordance with BS10175 risk assessment pre and post remediation scheme. The method statement must specify remediation for each identified contaminants giving installation or construction methods required to break pathway, or

specifying disposal; or in situ treatment as deemed appropriate, the handling and disposal of contaminants to prevent spread of contaminants and the critical control checks required to ensure remediation areas, handling and deposition areas and installation drawings of gas protection scheme must be included.

The design of the remediation strategy should consider the results from the previous two phases of investigation and consider the proposed use/layout of the development.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protections Act 1990 in relation to the intended use of the land after remediation. An options appraisal will only be acceptable upon the inclusion of the recommended preferred option.

The Remediation Method Statement should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

29. Prior to the first occupation of the development hereby permitted, a Remediation Validation report for the site must be submitted to and approved in writing by the Local Planning Authority. A Validation report (sometimes referred to as a Verification report) is used to demonstrate remediation completed in accordance with submitted and approved remediation report.

This report must contain the following:

- A summary of site investigation and remediation works undertaken with accompanying site layout identifying source / treatment areas;
- Confirmation of Required Concentration of Reduction Targets, and/or Cover and Break Screens;
- Post Remediation Interpretative report of Sampling to demonstrate compliance with quantitative goals.
- An explanation / discussion of any anomalous results, or failure to meet agreed target values, alongside additional work proposed and actioned;
- Demonstrate via photographic and documentation evidence of remedial measures;
- Post-remediation contaminated land risk assessment profile;
- Cross sectional diagrams for the site and detailed plans of the site.

The Remediation Validation report should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements

for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

30. If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority within 24 hours. Work must be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters. If required remediation of any unexpected contamination or underground storage tanks discovered during the development must take place before development recommences. Thereafter the development shall not be implemented otherwise than in accordance with the scheme approved under the planning consent.

Any additional reports should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

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 Paragraph 38 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Consent to Display Advertisement Req'd (I04)

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)

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

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

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

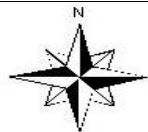
Free and full access to the Public Right of Way network is always to be maintained. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer.



Application reference: 20/01572/FUL
Location: The Grey Horse, Front Street, Camperdown
Proposal: Conversion of pub (A4) into 7 apartments (C3) with 8 new build apartments to rear - 15no in total with associated parking

Not to scale
 Date: 24.06.2021

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Consultations/representations

1.0 Internal Consultees

1.1 Manager of Environmental Health (Contaminated Land)

1.2 Part of the site lies within 250m of known former colliery. There may be a risk of ground gas. Due to the proposed sensitive end use the following must be attached:

Gas 006

Con 003

Con 004

Con 005

Con 006

Con 007

1.3 Manager of Environmental Health (Pollution)

1.4 This site is located adjacent to Front Street and I would be concerned about road traffic noise affecting development, especially habitable rooms fronting onto the road and a noise scheme will need to be provided to ensure appropriate sound mitigation measures are implemented to mitigate against the road traffic noise.

1.5 I have reviewed the noise report that has assessed the external noise arising from the road. The noise report has modelled the external noise levels and assessed the noise levels at the facade to the northern facade of the development site as in the region of 69 dB LAeq for daytime and 61 dB LAeq at night. The recommended internal noise levels will not be achieved with open window and therefore residents will be exposed to noise levels higher than the recommended levels. The noise report recommends a glazing and ventilation strategy for those habitable rooms fronting onto the road and for those with a partial line of sight to Front Street. The noise report recommends that MVHR is provided for the ventilation scheme for those habitable rooms on the northern facade of the development. I would therefore recommend if planning consent is to be given that planning conditions for the noise and ventilation scheme are attached to the approval.

1.6 The site layout plan shows that no gardens or outdoor space will be provided as part of this development.

1.7 Conditions:

Prior to development submit and implement on approval of the local Planning Authority a noise scheme in accordance with noise report reference NJD20-0136-001R, providing details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233:2014.

Prior to occupation, submit details of the ventilation scheme for approval in writing and thereafter implemented to ensure an appropriate standard of comfort to prevent overheating and ensure internal noise levels with windows closed comply with BS8233 and the WHO community noise standards at night namely a minimum of night time equivalent noise level of 30 dB (23:00 hours to 07:00 hours) and Maximum noise level of 45dB and daytime equivalent noise level of 35dB (07:00 hours to 23:00 hours) in bedrooms and daytime equivalent noise level (23:00 hours to 07:00 hours) of 35 dB in living rooms. Where the internal noise levels are not achievable, with window open, due to the external noise environment, an alternative ventilation system must be installed that addresses thermal comfort to reduce the need to open windows, unless an overheating assessment is provided to verify that there are no overheating risks. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Where an overheating assessment is provided this must be carried out by a qualified ventilation engineer in accordance with the current CIBSE guidance. Where the property is subject to a risk of overheating an alternative ventilation or cooling system must be provided that is designed to achieve the levels in the current CIBSE guidance.

HOU04
SIT03

1.8 Lead Local Flood Authority (LLFA)

1.9 I can confirm following the revisions to the surface water drainage proposals, I do not have any objections. The applicant will be providing surface water attenuation on site via the use of permeable paving and an underground storage tank which will contain surface water within the site for up to a 1 in 100 year rainfall event plus a 40% increase for climate change. The surface water from the site is then intended to discharge into the local surface water network at MH9215 at a restricted discharge rate of 2.5l/s.

1.10 I can also confirm the condition relating to the future maintenance of surface water drainage assets can be removed as this information has been provided within the submitted Flood Risk Assessment and Drainage Strategy document.

1.11 Landscape Architect and Biodiversity Officer

1.12 Existing Site Context

1.13 The above application is for the conversion of the Grey Horse pub in Camperdown into 7 apartments with 8 new build apartments and associated car parking and landscape. An existing garage and store to the rear of the PH is to be demolished as part of the proposal. The remainder of the site is made up of grass, concrete and rough ground.

1.14 Additional information has been provided that includes a revised landscape plan which has been altered to shows the relocation of the bin store, which is now relocated away from the entrance, increasing the areas internally for additional planting. The planting has also been revised to increase the level of native species within the site which will in turn, enhance biodiversity and the wildlife corridor.

1.15 A planning statement, which included an Open Space Assessment has been submitted previously as a result of earlier comments. A small area of the site falls within the open space designation as defined by the Local Plan. The Council's Green Space Strategy (2015) defines the open space as medium to high value and medium to high quality. Due to limited space within the site, it will be difficult to achieve any mitigation for the loss of open space and there is no availability for an alternative area of land that can be offered as mitigation.

1.16 Although the loss of open space has not been adequately addressed, the landscape plan has been revised to offer more areas of planting within the site and increased use of native trees and shrubs. On balance, the landscape plan is considered acceptable subject to the appropriate conditions being applied.

1.17 Ecology

1.18 A 'Protected Species Survey' has been submitted which has assessed the buildings on site for bat risk. The report concludes that the scheme will result in the loss of a small number of potential crevice roost opportunities and there is a low residual risk to bats during conversion works as well as potential impacts from increased lighting. The report recommends that all works should be undertaken to a precautionary bat method statement (including stripping of any roof coverings carefully by hand) as well as low level lighting to the rear of the property and landscape planting for bats that includes flower and berry bearing species.

1.19 The following conditions should be attached to the application:
Works will be undertaken to a precautionary Bat Method Statement, including stripping of any roof coverings carefully by hand. Details of the Method Statement will be submitted to the LPA for approval prior to works commencing on site.

Works will be undertaken to a precautionary Hedgehog Method Statement, including a hand search of suitable refugia prior to removal. Details of the Method Statement will be submitted to the LPA for approval prior to works commencing on site.

1 no. bat boxes will be erected on the rear of the building. Details of the bat box specification and its location must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

External lighting to the rear of the building will be low level and low lumen, avoiding use of high intensity security lighting and will be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/18 "*Bats & Artificial Lighting in the UK*".

Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified

ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Hedgehog gaps (13cmx13cm) will be provided within any new fencing associated with the scheme. Details of the number of gaps and their location to be submitted to the LPA for approval within 4 weeks of works commencing on site.

All soft landscape works shall be carried out in accordance with drawing no N1064-ONE-ZZ-XX-DR_L-020 P02 and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The maintenance programme is to include the replacement of any plants that are removed, die or become seriously damaged or defective, which shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season. Thereafter the development shall be carried out in accordance with the approved schedule.

1.20 Highways Network Manager

1.21 This application is for the conversion of the pub into 7 apartments with 8 new build apartments to the rear - 15 in total with associated parking. The site is accessed from Front Street, parking will be provided in accordance with current standards and cycle storage will be provided for all dwellings. Conditional approval is recommended.

1.22 Recommendation - Conditional Approval

1.23 Conditions:

ACC11 - New Access: Access prior to Occ
PAR04 - Veh: Parking, Garaging before Occ
REF01 - Refuse Storage: Detail, Provide Before Occ
SIT06 - Construction Method Statement (Minor)

No part of the development shall be occupied until a refuse management plan for the site has been submitted to and agreed in writing by the Local planning Authority. Thereafter this refuse management plan shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety.

1.24 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 dvlp

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

1.25 Public Rights of Way

1.26 The bridleway just north of the site is in dire need of a crossing over Front Street. The path also carries the Reivers Cycle Route.

1.27 Front Street is a 20mph road. A raised table parallel crossing would be ideal, but it would require advice from engineers with reference to the bend to the north and that this is a bus route. There is a degree of street furniture that will also need to be repositioned to accommodate the required space.

1.28 On the east side the crossing would connect to two separate paths and would benefit from being on a wider footprint. It also links directly to a primary school and sports facilities. On the west there are shops/bus stops/trading estate and Weetslade Country Park.

1.29 None of this is insurmountable and would benefit the wider community.

1.30 Design Officer

1.31 The application is for the conversion of the Grey Horse pub into 7 apartments with 8 new build apartments to the rear. The design follows pre-application discussions. The development site lies on a prominent position on Front Street and the sensitive conversion of the existing pub that retains historic features is supported. New dormer windows are proposed to the rear of the existing building. These are in keeping with the character of the property and would not be dominant when viewed from the surrounding area.

1.32 A new building of apartments is proposed to the rear. The design approach is relatively plain which the applicant has stated reflects the character and style of the existing housing to the south of the site. The south elevation is bland although the lack of windows does ensure that issues of privacy for neighbouring residents is addressed.

1.33 There is a large parking area and good quality surface materials should be used to ensure this area is attractive and well designed. Surface materials should be conditioned. Some trees will be removed as part of the proposal and new indicative areas of landscaping are shown. A detailed landscape plan should be conditioned.

1.34 Sustainable Transport

1.35 No Travel Plan required.

2.0 Representation

2.1 Petition signed by 30 residents objecting to the proposed development.

-There is local concern regarding land encroachment and legality of the ownership of the land within this application. Historically and continuing, the Grey Horse Inn has been illegally extending its boundaries to the eastern and southern

sides between the pub and Allanville estate house gardens, which over the years were reduced in size by the tenants to make them more manageable, with the Grey Horse Inn encroaching and taking advantage.

-This audacious application for the erection of 15 apartments, 8 to the south east of the pub, plus 7 within the pub, would form the conglomeration of dense building ill-suited and in close proximity to a main right of way to properties of Allanville and Moor View Estates. The location of a main refuse store to serve the proposed 15 apartments would no doubt be impractical.

-The application for 7 apartments within the pub should also be refused. A four flat application would have been more suitable considering the dimensions of the Grey Horse Inn using the existing original access road and also ensuring no on street parking.

-The proposed main vehicle access shown on the previous village green space is not within the applicant's ownership (identified on the proposed site plan PL953102 as 'Approved Access'). The triangle area of green space, adjacent to the busy main pedestrian pathway from the housing estates has been a village green since the Railway Cottage was demolished and has since been maintained by the council.

-There would no doubt be major road safety concerns for the residents of Camperdown and Burradon as the proposed road enters and exists onto the bend of a busy main village road, public pathways and the main NTC bridle path/cycle way.

-An explanation of the history and ownership of the land in question could be offered if desired.

-Furthermore, inexplicably, the building company have progressed with building operations, both inside and to the outside of the pub for months without planning permission. How has this been allowed to happen?

2.2 Officer note: The applicant has signed certificate C which advises that they own part of the site but not all of it.

2.3 Six objections have been received. These objections are set out below:

- Adverse effect on wildlife
- Affect character of conservation area
- Affect setting of listed building
- Impact on landscape
- Inadequate drainage
- Inadequate parking provision
- Nuisance - disturbance
- Nuisance - noise
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Traffic congestion
- Will result in visual intrusion
- Loss of visual amenity
- Loss of/damage to trees

-Development of the land around the pub building should be stopped.

because they encroached on village land without obtaining planning permission.

-The conversion of the building to apartments is just not right for the village, it should be used to benefit the community.

-The village is very congested as it is. Opposite you have another entrance leading to the main road through Burradon which in my opinion is already a hazard for all public including people using the footpaths. The flow of traffic would become a big issue. Village land needs to be kept. There will eventually be no history of Burradon left. I don't think this will benefit the community.

- I have witnessed numerous times land and grassed areas being taken and built on without permission which is ex coal board/village land. The owner proposes to use the grassed area which is village land as the main entrance to 15 apartments. Increase in the number of extra cars and the build-up of traffic. This entrance to 15 apartments would be on the bend and the busiest part of the road. The narrow pathway running alongside the grass is used as a through route and there is also a dangerous crossing which would be very close to this entrance. Over the years there has been many accidents in this exact place as the sharp bend is right outside the local shop therefore very busy. Only yesterday an 8 year old boy was knocked over on his way home from school and over the Christmas period another two car accidents occurred there, this is my reason for my objection.

-There is not enough land to build anything new on, without causing major problems. Nearly every property now comes with the resident owning at least one car, there will not be enough parking spaces, and where it is situated on a bend it is not safe for anyone leaving or arriving from the busy main road. Cars will end up being parked anywhere.

-Too close to the footpath and small open space.

-Plenty pubs are converted into living accommodation, but not with this many apartments proposed for the size of the pub. Converting it into one or 2 houses or no more than 4 flats. The area at the back really needs to be kept green, and not built on. Wildlife, people, green space.

-There is not enough space for the bins for each property.

-Taking away green space poses a potential for flooding, when buildings are placed on, there is already flooding in the village on the main road.

-Trying to cram in too many properties, these types of properties have a high turnover of tenants, because they will not be owner occupied, they will be buy to let, and they are not affordable for working people to buy and put down roots, as they are too small. High turnover means increase in waste from people moving in and out.

-Further blight on the village by adding more new builds.

-Restrict the safe use of pedestrians, cyclists and horse riders.

-Loss of village status.

-Not enough shops to support more residential.

-Potential to impact on privacy of surrounding properties.

-Remove natural drainage allowing flooding to occur.

-Increase in noise from residents coming and going.

-Difficult access for vehicles as on bend of road, will not allow for safe turning and loading.

-Will further reduce the Green Space.

-Disturb nature which visits Green Space, interfere with the Natural established Conversation.

-Remove all Green space, properties will have no green space of their own - gardens .

-Emptying of bins will be difficult due to vehicle access and any emergency vehicles, fire hazard will be hampered if need to gain access to the properties.

- Difficult access for delivery vehicles (we now live in an age where white van/home deliveries of groceries is the norm rather than the exception).
- Increase in vehicles will spill onto the main road.
- Will increase vehicles parking on main road and on neighbouring properties, which will lead to anti-social behaviour.
- Not enough parking, tight parking and parking spaces do not allow for space for disabled and parent/child parking.
- Not enough local amenities to support people from retail to medical, will put further strain on local resources especially GP surgeries, nearest one is Killingworth, so add strain to this area as well.
- Over development will be intrusive on neighbouring properties, lack of privacy and for those with the new properties, crowded, cramped, will not have privacy.
- No individual bins for properties means lack of responsibility for keeping communal bin area and bins clean, and if there is any doubt visit the back lanes of Heaton where communal bins were installed to see the disaster having these bins has been, dumping of goods, attracts vermin, filthy dirty, smelly, no ownership and recycling lost.
- High turnover of residents due to size of properties, add to more vehicle access for deliveries, removals, increase of disposal.
- The amount is clearly over development of the site, which will dominate the area, over shadow the footpath/bridal and cycling paths (which should be made wider).
- Will chase away those people who use the footpaths, restrict their access.
- Interference with natural light on footpaths.
- There are just too many for the site.
- Need to keep as a green open space.
- Question have they not already started developing the site without planning permission?
- The land has already been fenced in, and there was burning of wood during the middle of the day (thought this had to be done at dusk, not during the day). Looked like the land had been cleared.
- Are they allowed to remove trees and bushes and burn them without planning permission?
- Keep the pub and convert it into suitable sized accommodation for families or couples with parking, green space and adequate own bin storage, while keeping with the character, and original features of the property both inside and out. Less properties, with well-proportioned living space inside.
- No new builds, not enough room.
- Is there not some sort of listed building order or a covenant on the building and land?
- I have a barbers shop at 26 Front Street and it has a parking bay outside which even the chemist staff use. I've asked council if we can have restrictions only for customer parking say from 9 till 6 but have not heard back. Now if The Grey Horse is converted to flat will they be lazy and park in the only parking bay for my shop. I've asked all neighbours about having parking bay outside made into restricted parking and everyone says they don't mind, and I've put an application into council but never heard back.

2.4 Officer note: The Grey Horse is not a listed building and it is not located within a conservation area.

2.5 Two representations of support have been received. These are set out below:

- The conversion of the existing dilapidated former public house and the clearance and redevelopment of the land at the rear of the premises will enhance the appearance of the area and contribute to the regeneration of the village. The apartments will provide essential accommodation with its exceptional specification and create a wider variety of properties for local people to rent.
- The development will also improve the safety of residents, particularly the women in the community with improved lighting and with tenants regularly entering and leaving the properties.
- An innovative and exciting development for the village and the scheme has my unequivocal support.
- The conversion of the former Grey Horse public house and construction of the apartments is crucial to the community's 25-year project to regenerate the village of Burradon and Camperdown. The redevelopment of the building and the construction of the new apartments would provide high specification properties for rent for people within the community.
- The Grey Horse Public House had become synonymous with drug dealing and violence prior to its closure and the conversion to accommodation will reduce crime and disorder and drastically improve the quality of life of all of the residents in Burradon and Camperdown. I support the applicant's plans for the conversion of the Grey Horse Pub.

3.0 External Consultees

3.1 Tyne and Wear Archaeology Officer

3.2 The Grey Horse is shown on the Ordnance Survey First Edition map and dates to the 19th century. Various additions were made to the building and it appears to have been refronted or rebuilt in the early 20th century. The interiors do not survive. Whilst it is not currently entered on the Historic Environment Record it may be considered a non-designated heritage asset (NPPF para 197) of local importance, and makes a positive contribution to the streetscape.

3.3 I support the proposed conversion of the building and as the building is to be retained, historic building recording is not required. If proposals are made to demolish the building, this should be reconsidered.

3.4 The Grey Horse is located in an area with known prehistoric activity to the northwest, in the form of an Iron Age enclosure known from aerial photographs (HER309), which has now been built over. The applicant has provided a Ground Investigation Report for the site which indicates that the site has been previously disturbed. I therefore consider the archaeological potential of the site to be low, and no archaeological work is required.

3.5 The Coal Authority

3.6 The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

3.7 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted

planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of health and safety.

3.8 Newcastle International Airport Limited (NIAL)

3.9 No comments to make.

3.10 Northumbria Police

3.11 We have no objections to this application, the only comments I would make are as follows:

3.12 Cycle Storage

3.13 The location of the cycle store is sited next to the shared vehicle access, this makes it quite vulnerable to cycle thefts, especially as the entrance to the cycle store also faces towards the shared vehicle access. Could the door be positioned so it is facing the parking area and also to ensure this door is lockable and the shelter is adequately lit

3.14 Lighting Plan – Car Park

3.15 Where there is communal car parking, lighting is at levels as recommended by BS 5489-1:2013

3.16 Northumbrian Water

3.17 In making our response to the LPA Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside our area of control.

3.18 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

3.19 The revised Flood Risk Assessment and Drainage Strategy clarifies the position on separating flows. We therefore have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment and Drainage Strategy Revision 2".

3.20 We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

3.21 Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy Revision 2" dated "December 2020". The drainage scheme shall ensure that new development foul flows discharge to the combined sewer at or downstream of manhole 0202 and ensure that new

development surface water discharges to the surface water sewer at manhole 9215. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

3.22 It should be noted that we are not commenting on the quality of the FRA as a whole or the developer's approach to the hierarchy preference. The council, as LLFA, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

Application No: 21/00809/FUL Author: Maxine Ingram
Date valid: 21 April 2021 ☎: 0191 643 6322
Target: 16 June 2021 Ward: Camperdown
decision date:

Application type: full planning application

Location: 7 Greenhills, Killingworth, NEWCASTLE UPON TYNE, NE12 5BA

Proposal: Remove old fence which only covered part of the property, and erect new fence enclosing existing open space, close boarded timber 1800mm high installed. (Retrospective)

Applicant: Mr Mick Trett, 7 Greenhills Killingworth Newcastle Upon Tyne NE12 5BR

Agent: Dr Jafar Mojtabavi, Persepolis Architecture Ltd 73 High Street Gosforth Newcastle Upon Tyne NE3 4AA

RECOMMENDATION: Application Refused

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The impact on visual amenity; and,
- Impact on highway safety.

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

2.0 Description of the Site

2.1 The site to which the application relates is a north east facing, semi-detached property located in an established residential area of Killingworth. The property is sited close to the entrance to this estate. It is bound to the north and west by the estate road. The garden to front is open plan.

2.2 It is noted that the fencing, subject of this application, is already in situ. However, the Local Planning Authority's (LPA's) aerial photographs and images available via Google Maps clearly show that the majority of land to the side of the application site up to the footpath was an open grassed area. The former boundary treatment that separated the rear garden from this land was splayed

from the gate towards the adjacent visitor parking bay. This former boundary treatment comprised of brick piers with timber infills.

3.0 Description of the Proposed Development

3.1 Retrospective planning permission is sought to remove the old fence which only covered part of the property, and erect a new fence enclosing existing open space. The new fence is a close boarded timber fence 1800mm high.

3.2 The applicant has requested that this application is presented to Members of Planning Committee.

4.0 Relevant Planning History

04/02564/FUL - Alter existing garage to form lounge and construct attached garage to side of property – Permitted 20.09.2004

00/01732/FUL - En-suite bedroom above existing garage – Permitted 12.01.2001

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 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:

- The impact on visual amenity; and,
- Impact on highway safety.

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

8.0 Impact on amenity

8.1 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.

8.2 Policy S1.4 sets out general development principles. Amongst other matters, this states that development should be acceptable in terms of its impacts on local amenity for existing residents and adjoining premises.

8.3 Policy DM6.1 sets out guidance on the design of development. This policy 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 of the characteristics of the site, its wider context and the surrounding area.”

8.4 Policy DM6.1 states, amongst other matters, that proposals are expected to demonstrate:

- b. A positive relationship to neighbouring buildings and spaces;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces.

8.5 LDD11 ‘Design Quality’ applies to all planning applications that involve building works. It states, ‘Boundaries are particularly important to the front of properties and should be clearly defined, using appropriate boundary markers, such as gates and gateways, hedges, fences and walls. As a general rule, low walls and/or metal railings are more appropriate in urban areas along higher-level streets, while soft planting, hedging and picket fencing is more appropriate in lower density areas which have a more rural character’. It further states that ‘Care should be taken to limit the need for long sections of new walls or high close boarded fences, especially where these bound public areas’.

8.6 The entrance to the estate retains an open feel. There is a mature tree belt closest to the roundabout which then opens onto the front gardens serving the properties as you immediately enter the estate. To the northside of the road is an open grassed area that is designated as Green Belt.

8.7 The site, subject of this application, was previously open. The gate providing access to the rear garden was set back from the front of the property and the boundary treatment splayed from this point towards the adjacent visitor parking bay (approximately the centre of this visitor parking bay) before returning southwards to follow the line of the footpath. This section of boundary treatment comprised of three brick piers and timber infill panels. Open grassed areas such as these make important contributions to the design of residential estates as they provide visual relief and soften the surrounding built form.

8.8 It is noted that there are expanses of timber fencing that exist adjacent to footpaths throughout this estate. These existing expanses of timber fencing were designed as part of the wider estate. Such boundary treatments, adjacent to footpaths, would not be supported today as they result in poor design that detracts from the public realm. However, the site, subject of this application, was not enclosed by a solid timber fence when this estate was originally designed.

8.9 Boundary treatments should be carefully considered and should not detract from the public realm. Generally, the front of any building will be the most sensitive to alteration as it is the elevation which is invariably visible by the public in the wider locality. In this case, due to the location of the application site it is highly visible within the immediate street scene and therefore the side of this property is also highly sensitive to alteration.

8.10 It is considered that enclosing this parcel of land significantly alters the visual appearance of this part of the estate and reduces the sense of openness. This is further exacerbated by the enclosure of this land with a high timber fence. The boundary treatment by virtue of its height, length, closed boarded timber construction and siting, including the area it covers, creates a highly incongruous feature in this location. The fencing introduces a hard element into this part of the street scene to the detriment of visual amenity.

8.11 Consequently, the development is contrary to Policy DM6.1 of the Local Plan and guidance in the Design Quality SPD. When read together these policies and guidelines only permit development to occur when it harmonises with its surroundings. The development does not result in any significant benefits that outweigh the visual harm that has been brought to the character and appearance of the area.

8.12 One letter of support has been received. The points raised are noted. However, it is not considered that the development results in any significant benefits that outweigh the visual harm caused.

8.13 Members need to determine whether the proposed development is acceptable in terms of its impact on visual amenity. It is officer advice that the visual impacts of this development are not acceptable. As such the proposed development does not accord with the NPPF or Local Plan policies DM6.1 or LDD11.

9.0 Impact on highway safety

9.1 Policy DM6.1 states, amongst other matters that, proposals are expected to demonstrate:

e. Sufficient car parking that is well integrated into the layout.

9.2 One objection has been received regarding the impact on poor traffic and pedestrian safety.

9.3 The applicant has provided a response to the highway points raised.

9.4 The Highways Network Manager has been consulted. He has raised no objection to this application.

9.5 The Greenhills estate is a substantially sized development with only one access serving it. This access road is of a significantly curved design. When entering the site from the A1056, vehicles are travelling in a north direction then turn sharply to a south-westerly direction when they reach the site boundary, then via another curve to a westerly direction when they have passed the site, continuing into the rest of the development. The estate was originally designed to 30mph and has since been designated as a 20mph zone and traffic calming has been introduced. Whilst the fence reduces the forward visibility, it does not encroach onto the required visibility splay designed to 20mph. On this basis, there are no significant impacts on highway safety.

9.6 Members need to determine whether the proposed development is acceptable in terms of its impacts on highway safety. It is officer advice that it is.

10.0 Conclusions

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

10.2 Members need to determine whether the proposed development is acceptable in terms of its impact on visual amenity. It is officer advice that the visual impacts of this development area not acceptable. As such the proposed development does not accord with the NPPF or Local Plan policies DM6.1 or LDD11.

10.3 Refusal is recommended.

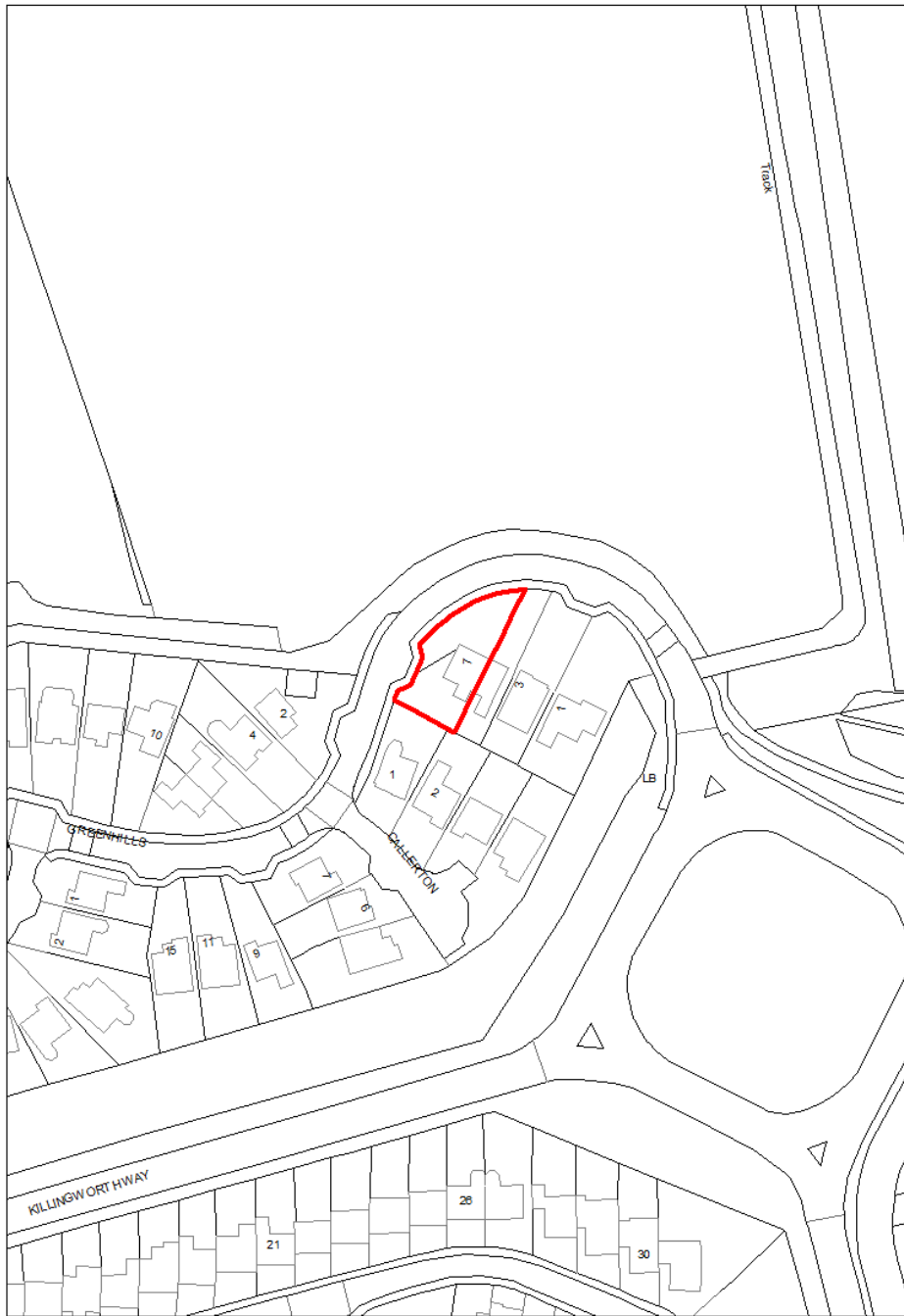
RECOMMENDATION: Application Refused

Conditions/Reasons

1. The application site occupies a prominent position within a residential estate. The construction of 1.8m high fencing, by virtue of its design, length, height and material, and reduction in soft landscaping to the side of the property would be harmful to the visual amenity of the immediate surrounding area. This would be contrary to policies S1.4, DM6.1 and DM6.2 of the North Tyneside Local Plan (2017), the Design Quality Supplementary Planning Document (SPD) (2018) and the advice in National Planning Policy Framework (NPPF) 2019.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was not therefore possible to approve the application. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.



Application reference: 21/00809/FUL

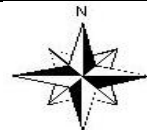
Location: 7 Greenhills, Killingworth, NEWCASTLE UPON TYNE, NE12 5BA

Proposal: Remove old fence which only covered part of the property, and erect new fence enclosing existing open space, close boarded timber 1800mm high installed. (Retrospective)

Not to scale

Date: 24.06.2021

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Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 This is a retrospective application to remove the old fence which only covered part of the property and erect a new close boarded timber 1800mm high fence enclosing the existing open space. Greenhills is a substantially sized development and the site is close to the only access to the site. This access road is of a significantly curved design - when entering the site from the A1056, vehicles are travelling in a north direction then turn sharply to a south-westerly direction when they reach the site boundary, then via another curve to westerly direction when they have passed the site, continuing into the rest of the development. Whilst the fence reduces the forward visibility, it does not encroach onto the required visibility splay designed to 20mph.

1.3 Approval is recommended.

2.0 Representations

2.1 Support

2.2 Two letters of support have been received from the same property.

-The new fence looks nicer and an improvement on the older one, the grassy verge that was previously accessible was typically littered and more often than not used for dog fouling.

-I support the proposal; the fence is modern and looks significantly better than the previous, the height also allows for privacy in the garden including my own which is a house over from the public walk.

-The grassy verge that was previously exposed typically had dog mess and often litter, where the car park bay is there it unfortunately has sometimes just been used for this.

2.3 Objection

2.4 One objection has been received. This objection is set out below:

Poor traffic/pedestrian safety.

As a resident on the estate, it was clear very quickly when the fence was erected, that it obstructs the line of sight of the road on the bend when entering and leaving the estate.

You are unable to see when traffic is approaching the bend on entry or exit. This is made worse when people are also parked on the road. A resident from the property, pulled off their drive-in front of me as I was exiting the estate - I only saw them once coming around the bend due to the restricted view, and they were unable to see my vehicle approaching due to the new fence blocking their line of sight for vehicles approaching the bend.

This new fence presents a health and safety hazard for all residents of the estate.

2.5 Comments from applicant

2.6 The applicant has considered the comments against the fence. They have advised:

As the resident of the property I have no problem when exiting my drive. As the estate has a 20mph speed limit and the Highway Code states that the stopping distance is 12 metres for this speed, there is plenty of distance to be able to stop if I exit my drive and the approaching traffic is within the speed limit. Therefore, no health and safety concerns are valid. There is a bus route (K2) that services the estate, so the carriage way is sufficiently wide enough to accommodate large vehicles on this bend.

2.7 I have spoken to numerous residents on the estate and not one person I have spoken to has any problem with the new fence being erected

3.0 External Consultees

3.1 None

Application No: 21/00768/FUL Author: Maxine Ingram
Date valid: 22 April 2021 ☎: 0191 643 6322
Target: 22 July 2021 Ward: Camperdown
decision date:

Application type: full planning application

Location: Unit 1, Locomotion Way, Camperdown Industrial Estate, Camperdown, NEWCASTLE UPON TYNE

Proposal: Demolition of existing industrial building, to make way for a new multi-unit commercial/light industrial building

Applicant: Locomotion Business Park Ltd., Mr Ben Dalby Unit 1 Locomotion Way Camperdown Industrial Estate Camperdown NE12 5US

Agent: Kjokken Ltd., Mr Miles Layland Coed Cymmer Barmouth Road Dolgellau LL40 2EW

RECOMMENDATION:

The Committee is recommended to

- a) indicate that it is minded to grant this application subject to:**
 - i. an Agreement under Section 106 of the Town and Country Planning Act 1990 and**
 - ii. the addition, omission or amendment of any other conditions considered necessary; and**
- b) authorise the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure a Travel Plan Monitoring Fee - £1, 250.00 (£250.00 per annum) for a period of five years.**

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The principle of the development,
- The impact on amenity,
- The impact on character and appearance,
- The impact on highway safety, and,
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this

application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application site is located at the corner of Locomotion Way and Mylord Crescent within Camperdown Industrial Estate. There are two existing buildings onsite. One building is a two-storey brick construction office building sited in the north west corner of the site. The other building is large warehouse sited in the north east corner of the site. The site is bound by metal fencing. There are two access points into the site from the adjacent road.

2.2 The site is designated as employment land in the Council's Local Plan (2017).

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the demolition of existing industrial building, to make way for a new multi-unit commercial/light industrial building with associated parking.

4.0 Relevant Planning History

86/01254/FUL - 2 storey office block development – Permitted 27.08.1986

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policies

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 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 Local Planning Authorities (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 Detailed Planning Considerations

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

- The principle of the development,
- The impact on amenity,
- The impact on character and appearance,
- The impact on highway safety, and,
- Other issues.

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

8.0 Principle of the development

8.1 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the LP predate the publication of the revised NPPF however, it is clear from paragraph 213 of the NPPF that: “However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The council considers that the local plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.2 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

8.3 The NPPF paragraph 11 makes it clear that plans and decisions should apply a presumption in favour of sustainable development. However, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The NPPF paragraph 12 states “Where a planning application conflicts with an up-to-date development plan permission should not normally be granted. Local Planning Authorities (LPA’s) may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

8.4 LP Policy S2.2 ‘Provision of Land for Employment Development’ seeks to ensure an attractive and flexible supply of employment land is available to deliver the Council’s strategy for economic prosperity, job growth and investment over the plan period.

8.5 LP Policy DM2.3 Development Affecting Employment Land and Buildings states “The Council will support proposals on employment land, as shown on the Policies Map, for new or additional development for uses within use classes B1, B2 or B8 or that which is deemed ancillary.

Proposals on identified employment land or other buildings in use-class B1, B2 or B8, for uses that could conflict with the development and regeneration of sites for economic development, will be permitted where these proposals would not:

- a. Result in the unacceptable loss of operating businesses and jobs; and,
- b. Result in an excessive reduction in the supply of land for development for employment uses, taking into account the overall amount, range, and choice available for the remainder of the plan period; and,

c. Have an adverse impact upon the amenity and operation of neighbouring properties and businesses.”

8.6 The Council’s Regeneration Team have raised no objections to the proposed development.

8.7 The applicant has confirmed that the buildings would be used for B1 purposes now Use Class E(g) under the changes to the use classes order in September 2020.

8.8 The proposed development meets the requirements of Policy DM2.3 which permits B1 (now use class E(g), B2 and B8 uses. Members need to determine whether the principle of the proposed development is acceptable. It is the view of officers that the principle of the proposed development is considered to be acceptable, subject to all other material considerations set out below being addressed.

9.0 Impact on amenity

9.1 Paragraph 180 of the NPPF states “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.

9.2 LP Policy S1.4 “General Development Principles” states “ 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.” Amongst other matters this includes: be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses; and be accommodated by, and make best use of, existing facilities and infrastructure, particularly in encouraging accessibility and walking, cycling and public transport, whilst making appropriate provision for new or additional infrastructure requirements”.

9.3 LP Policy DM5.19 Pollution states “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 proposed where pollution levels are unacceptable will not be permitted unless it is possible for mitigation measures to be introduced to secure a satisfactory living or working environment.

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.

Proposals for development should have regard to the noise impacts arising from the Newcastle International Airport flight path as shown on the Policies Map.”

9.4 The Manager for Environmental Health has been consulted. She has advised that the nearest residential properties are located approximately 114 metres to the east of the site (Festive Cottages and Station Road). She has raised concerns regarding potential noise arising from the proposed development.

9.5 The NPPF, paragraph 54 states “Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Paragraph 55 states “Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.” The NPPF paragraph 180 aims to “avoid noise from giving rise to significant adverse impacts on health and quality of life”. Members are advised that it is clear from the environmental health comments set out in paragraphs 1.12-1.13 of the appendix to this report that appropriate mitigation to reduce the impacts arising from noise can be secured by conditions.

9.6 Members need to determine whether the proposed development is acceptable in terms of its impact on the amenity of neighbouring and nearby properties. It is officer advice that the proposed development is, subject to the imposition of the suggested conditions. As such, it is officer advice that the proposed development accords with the advice in paragraph 180 of the NPPF and LP policies DM5.19 and DM6.1.

10.0 Impact on character and appearance

10.1 Paragraph 124 of the NPPF encourages good design stating that “this is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the NPPF makes it clear that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

10.2 LP Policy DM6.1 ‘Design of Development’ makes it clear that applications will only be permitted where they demonstrate high and consistent design standards. Amongst other matters proposed developments are responsive to their location, including topography, wildlife habitats, site orientation and existing buildings; ensuring a positive relationship to neighbouring buildings and spaces; ensuring sufficient parking is well integrated into the layout; and a good standard of amenity for existing and future residents.

10.3 LDD11 'Design Quality' SPD applies to all planning applications that involve building works.

10.4 The overall scale and design of buildings vary within this industrial estate.

10.5 The existing office building is to be retained and no alterations are proposed to this building through this application.

10.6 The existing warehouse is to be demolished and a new building constructed. The new build will house eight separate industrial units. It will accommodate a mono pitch roof sloping from the front of the building to the rear. The roof height will range from approximately 9.2m to approximately 6.6m. It will overhang the front of the building to cover the accesses into the unit. The new build is contemporary and is considered to of a commensurate height to the surrounding industrial units.

10.7 Parking is proposed to the front of the new build and adjacent to the existing office building.

10.8 LP Policy DM5.9 "Trees, woodland and hedgerows" seeks to protect existing landscape features.

10.9 The proposed plan shows a new section of fencing to be constructed on the corner of Locomotion Way and Mylord Crescent that will include some of the outside grass verge. There are three trees in the site which will need to be removed to facilitate the proposed development.

10.10 The Landscape Architect has been consulted. She has advised that the loss of the trees is regrettable, but a condition can be imposed to secure replacement trees. A condition is recommended to secure a detailed landscape plan.

10.11 Members need to consider whether the impact on the character and appearance of the immediate surrounding area is acceptable. It is officer advice that, the proposed development would not result in a significant visual impact on the character or appearance of the immediate surrounding area. Furthermore, the loss of some landscaping, which is to be replaced, must be balanced against the benefits of developing this designated employment site. As such, the proposed development accords with national and local planning policies.

11.0 Impact on highway safety

11.1 The NPPF paragraph 109 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

11.2 The NPPF paragraph 110 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

11.3 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council 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 resident's health and well-being.

11.4 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

11.5 The representation received from the business opposite the application site is noted. This representation has raised concerns regarding parking on Locomotion Way.

11.6 The existing site has two vehicle access points, one from Locomotion Way and the other from Mylord Crescent. Both are set back from the corner junctions and both remain in full operation. These accesses are to be retained and a one-way system introduced.

11.7 The Highways Network Manager has been consulted. He has advised that parking has been provided to meet the needs of the site. On this basis, he has recommended conditional approval.

11.8 The Sustainable Transport comments require a Travel Plan to be conditioned. A TP monitoring fee will need to be secured by a S106 Agreement.

11.9 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network and existing parking provision. It is officer advice that it is. The proposed development accords with both national and local planning policies.

12.0 Other Issues

12.1 Contaminated Land

12.2 NPPF paragraph 178 seeks to ensure that planning decisions have regard to ground conditions and any risks arising from land instability and contamination.

12.3 NPPF paragraph 179 states "Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner".

12.4 LP Policy DM5.18 "Contaminated and Unstable Land" seeks to ensure that the future users or occupiers of a development would not be affected by contamination or stability issues.

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

12.6 Members need to consider whether the proposed development is acceptable in terms of its impact on ground conditions. It is officer advice that it is.

12.8 Flooding

12.9 The NPPF paragraph 163 makes it clear that “When determining planning applications, LPA’s 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 (FRA) following the sequential test.”

12.10 LP Policy “DM5.12 Development and Flood Risk” 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.

12.11 The Lead Local Flood Authority (LLFA) has been consulted. They have raised no objection to the proposed development.

12.12 Members need to determine whether the proposed development is acceptable in terms of flood risk. It is officer advice that it is and it would accord with both national and local planning policies.

12.13 Biodiversity

12.14 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.

12.15 Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

12.16 Paragraph 177 of the NPPF states that the presumption in favour of sustainable development does not apply where development requires appropriate assessment because of its potential impact on a habitats site is being planned or determined.

12.17 A Preliminary Ecological Appraisal (PEA) has been submitted to support the application. This has been considered by the Biodiversity Officer. The PEA shows that the site supports 3no. trees and amenity grassland that will be lost to facilitate the scheme. The buildings and trees on site do not provide potential roost features for bats and the building has been assessed as having negligible suitability for bats.

12.18 Although the habitats on site provide limited biodiversity value, the Biodiversity Officer has advised that a detailed landscape scheme will need to be conditioned.

12.19 Subject to the imposition of the suggested conditions, the Biodiversity Officer has not raised any objections.

12.20 Members need to determine whether the proposed development is acceptable in terms of biodiversity. It is officer advice that it is, and it would accord with both national and local planning policies.

12.21 Minerals

12.22 LP DM5.17 'Minerals' sets out guidance on minerals extraction. However, this development relates to an existing largely hard surfaced site.

12.23 North West Villages Sub Area

12.24 The application site is located in an area identified as being within the North West Sub Area. The proposed development would not prevent the aims of Policy AS8.24 being met.

12.25 Aviation

12.26 Newcastle International Airport Limited (NIAL) have been consulted. They have raised no objection to the proposed development.

12.27 Police

12.28 Northumbria Police have been consulted. They have raised no objection to the proposed development. An informative is recommended to advise the applicant of the advice regarding the design of the cycle store.

13.0 Local Financial Considerations

13.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received or will or could receive in payment of the Community Infrastructure Levy (CIL). It is not considered that the proposal results in any local financial considerations.

14.0 Conclusion

14.1 Members need to determine whether the proposed development is acceptable in terms of the principle of the development, its impact on amenity, its impact on the character and appearance of the area and all other issues including its impact on highways and ground conditions. It is the view of officers that the proposed development is acceptable. As such, officers consider that the proposed development does accord with national and local planning policies. Approval is recommended.

RECOMMENDATION:

The Committee is recommended to

- c) indicate that it is minded to grant this application subject to**
 - iii. an Agreement under Section 106 of the Town and Country Planning Act 1990 and**
 - iv. the addition, omission or amendment of any other conditions considered necessary.**
- d) to authorise the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure a Travel Plan Monitoring Fee - £1, 250.00 (£250.00 per annum) for a period of five years.**

Conditions/Reasons

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

Application form

Location plan Dwg No. 0256/0.01

Proposed site plan Dwg No. 0256/1.08

Proposed roof plan Dwg No. 0256/1.03g

Proposed ground floor plan Dwg No. 0256/1.01i

Proposed first floor plan Dwg No. 0256/02g

Proposed sectional inner elevations Dwg No. 0256/1.03e

Proposed cross section Dwg No. 0256/1.07c

Proposed front elevations Dwg No. 0256/1.04e

Proposed rear elevations Dwg No. 0256/1.05e

Reason: To ensure that the development as carried out does not vary from the approved plans.

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

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

3. No development shall be commenced until a Desk Study (Phase 1) has been completed and a written sampling strategy (scope of works) for the contamination site investigation is submitted to, and agreed in writing by, the Local Planning Authority before the commencement of site investigation works.

The Desk Study Report should be written in accordance with the current government guidelines including but not exclusive of those including the BS10175 2011 +A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management - Environment Agency.

Reason: This information is required from the outset to ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

4. Prior to commencement of development a detailed Site Investigation (Phase 2) must be carried out including an interpretative report on potential contamination of the site. This must be prepared by an appropriately qualified person and submitted to and approved in writing by the LPA to establish:

i) If the site is contaminated;

ii) To assess the degree and nature of the contamination present, and an assessment whether significant risk is likely to arise to the end users and public use of land, building (existing or proposed) or the environment, including adjoining land;

iii) To determine the potential for the pollution of the water environment by contaminants and;

iv) an appraisal of remedial options, and proposal of the preferred option(s).

The Site Investigation report must include the following information:

- A site plan with sampling points and log;
- Results of sampling and monitoring carried out in accordance with sampling strategy, and;
- An interpretative report on potential contamination of the site, conclusions must be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation).

The Site Investigation report should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management - Environment Agency.

Reason: This information is required from the outset to ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

5. Prior to the commencement of the development a detailed Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The remediation method must include phase 1 and 2 reports in accordance with BS10175 risk assessment pre and post remediation scheme. The method statement must specify remediation for each identified contaminants giving installation or construction methods required to break pathway, or specifying disposal; or in situ treatment as deemed appropriate, the handling and disposal of contaminants to prevent spread of contaminants and the critical control checks required to ensure remediation areas, handling and deposition areas and installation drawings of gas protection scheme must be included.

The design of the remediation strategy should consider the results from the previous two phases of investigation and consider the proposed use/layout of the development.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protections Act 1990 in relation to the intended use of the land after remediation. An options appraisal will only be acceptable upon the inclusion of the recommended preferred option.

The Remediation Method Statement should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management.

Reason: This information is required from the outset to ensure that the potential contamination of the site is properly investigated and its implication for

the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

6. Prior to the first occupation of the development hereby permitted, a Remediation Validation report for the site must be submitted to and approved in writing by the Local Planning Authority. A Validation report (sometimes referred to as a Verification report) is used to demonstrate remediation completed in accordance with submitted and approved remediation report.

This report must contain the following:

- A summary of site investigation and remediation works undertaken with accompanying site layout identifying source / treatment areas;
- Confirmation of Required Concentration of Reduction Targets, and/or Cover and Break Screens;
- Post Remediation Interpretative report of Sampling to demonstrate compliance with quantitative goals.
- An explanation / discussion of any anomalous results, or failure to meet agreed target values, alongside additional work proposed and actioned;
- Demonstrate via photographic and documentation evidence of remedial measures;
- Post-remediation contaminated land risk assessment profile;
- Cross sectional diagrams for the site and detailed plans of the site.

The Remediation Validation report should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

7. If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority within 24 hours. Work must be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters. If required remediation of any unexpected contamination or underground storage tanks discovered during the development must take place before development recommences. Thereafter the development shall not be implemented otherwise than in accordance with the scheme approved under the planning consent.

Any additional reports should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

8. Notwithstanding condition 1, prior to the commencement of the development hereby approved above ground level details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before any unit is first occupied in accordance with the approved details and permanently retained.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

9. Notwithstanding condition 1, prior to the commencement of the development hereby approved above ground level details of any air ventilation systems shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before any unit is first occupied in accordance with the approved details and permanently retained.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

10. Notwithstanding condition 1, prior to the commencement of the unit above ground level a noise scheme shall be submitted to and approved in writing by the Local Planning Authority, in accordance with BS4142 to determine the background noise level without the new plant and equipment noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment installed at the industrial units does not exceed the background noise level. Thereafter the development shall be carried out in accordance with these agreed details.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

11. Within one month of the installation of any plant and equipment acoustic testing shall be undertaken to verify compliance with condition 11. These details shall be submitted to and approved in writing by the LPA prior to the operation of the plant and equipment being brought into permanent use. Thereafter the plant and equipment shall be operated and maintained in full working order.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

12. No sound reproduction equipment which is audible outside the curtilage of the premises shall be operated on the site.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

13. The premises shall only be open for business between the hours of 0700-2300 on any day.

Reason: To safeguard the occupiers of adjacent properties from undue noise of other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

14. Prior to installation of any floodlighting or other form of external lighting , a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interest of visual amenity and/or highway safety having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

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

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

16. There shall be no demolition activity or vehicle movements to, from or within the site outside the hours of 0800-1800 Monday to Friday, 0800-1400 Saturday with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenities of neighbouring residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

17. There shall be no external storage of any dust generating materials at the industrial units at any time.

Reason: To safeguard the amenities of neighbouring occupants having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

18. There shall be no burning of materials on the site at any time.

Reason: To safeguard the amenities of neighbouring occupants having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

19. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) 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; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowzers, 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 a 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 (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

20. Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

Reason: This information is required pre development to ensure that the adoptable highway(s) is kept free from mud and debris in the interests of highway safety having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

21. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above ground level details of facilities to be provided for the storage of wheeled refuse, including recycling if necessary, for each unit shall be submitted to and approved in writing by the Local Planning Authority. The refuse facilities shall be provided in accordance with the approved details, prior to the occupation of each unit and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies DM6.1 of North Tyneside Local Plan (2017).

22. The scheme for parking 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).

23. No part of the development shall be occupied until a scheme for the provision of secure undercover cycle parking has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety having regard to Policy DM7.4 of the North Tyneside Local Plan (2017).

24. Notwithstanding the details submitted in the Travel Plan, no part of the development shall be occupied until a Full Travel Plan in accordance with the council's Travel Plan Scope, has been submitted to and approved by in writing the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with the agreed Travel Plan. The Travel Plan will require the Travel Plan Coordinator to be in place three months prior to first occupation until at least five years from first occupation and will also include an undertaking to conduct annual travel surveys to monitor whether the Travel Plan targets are being met with a Monitoring Report submitted to the council within two months of surveys being undertaken.

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

25. No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

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 (2017).

26. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above ground level details of 1no. bird box and 1no. bat box to be installed in suitable locations (buildings) within the site, including specifications and locations, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of any unit and permanently retained.

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 (2017).

27. Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

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 (2017).

28. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level a fully detailed landscape plan and landscape maintenance plan for a minimum period of five years, including details of arrangements for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include new tree/scrub planting with new hedgerow planting and wildflower grassland to the boundaries of the site and a fully detailed specification (including maintenance) is to be included and a minimum of 4no trees are to be specified as 14-16cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. The landscape maintenance scheme shall be implemented in accordance with these agreed details.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

29. Should bats be found during the development, works must cease immediately, and a suitably qualified ecologist contacted for further advice.

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 (2017).

30. Notwithstanding Condition 1, prior to the commencement of any construction works on the site details showing the existing and proposed ground levels and levels of thresholds and floor levels of the proposed new build and the existing levels of the adjacent footpath shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

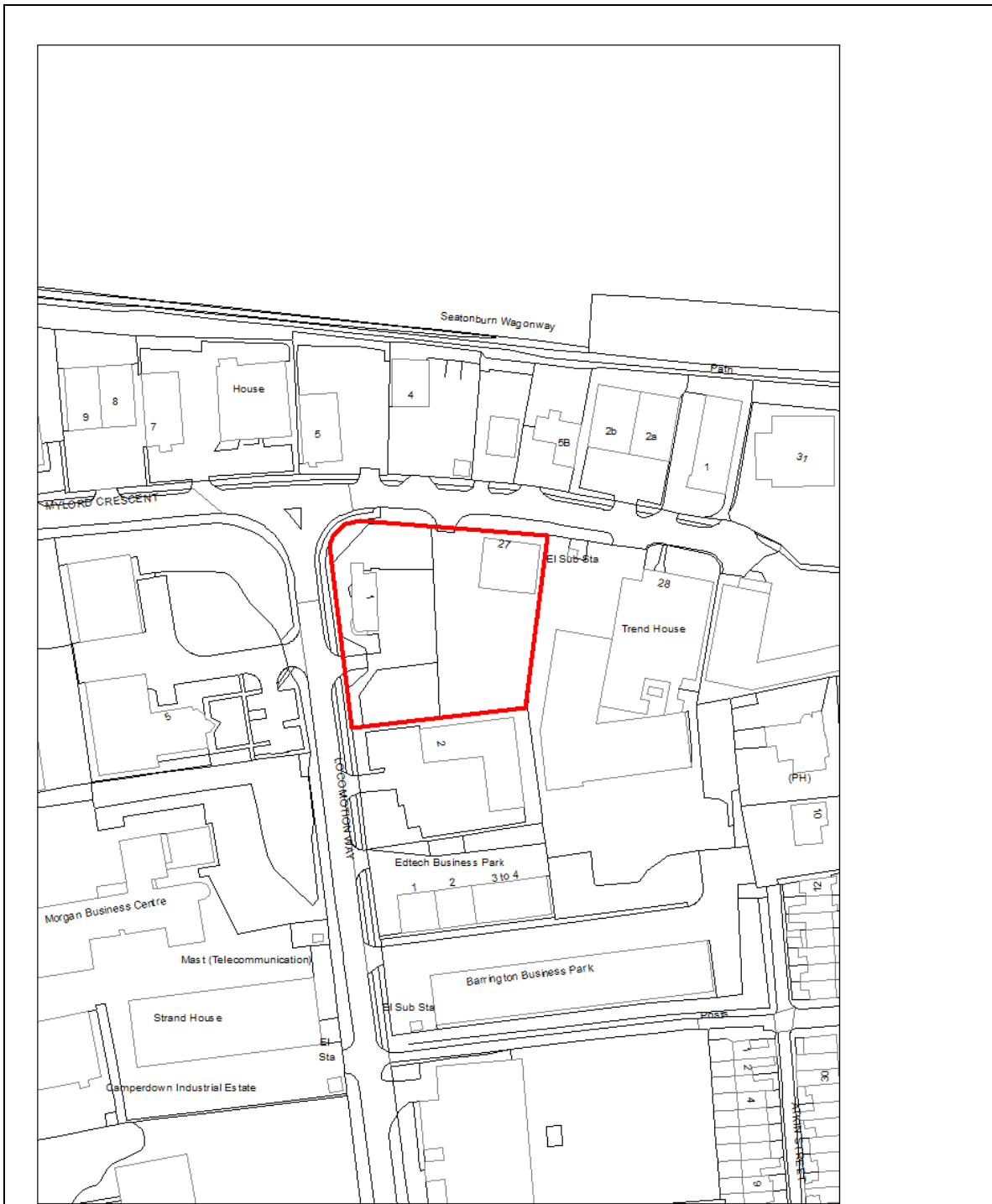
Reason: This information is required pre-commencement to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements and protecting existing landscape features having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

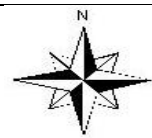
Northumbria Police recommend the cycle storey is built to Secured by Design (SBD) Standards, which would include secure ground anchors, be lit after dark (if in use) and be open to surveillance. Further details can be found at www.securedbydesign.com The SBD website will also provide details around Commercial developments and provides design guidance and specification requirements for reducing the risks for crimes against the person or property.



Application reference: 21/00768/FUL
Location: Unit 1, Locomotion Way, Camperdown Industrial Estate, Camperdown
Proposal: Demolition of existing industrial building, to make way for a new multi-unit commercial/light industrial building

Not to scale
 Date: 24.06.2021

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**Appendix 1 – 21/00768/FUL
Item 3**

Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 Access remains unchanged and an appropriate level of car parking will be provided. Conditional approval is recommended

1.3 Recommendation - Conditional Approval

1.4 Condition:

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 part of the development shall be occupied until a scheme for the provision of secure undercover cycle parking has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety.

No part of the development shall be occupied until a Framework Travel Plan has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

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

1.5 Informatives:

I10 - No Doors/Gates to Project over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dv/pt

1.6 Sustainable Transport

1.7 There has not been a Travel Plan submitted as part of the Planning Application.

1.8 A Travel Plan Bond is not required.

1.9 A £1,250 Travel Plan Monitoring Fee (£250 per annum) is required, to be included as a Section 106 Agreement. This is for North Tyneside Council (NTC) Officer time spent monitoring the travel plan delivery, evaluating annual travel plan progress reports and annual survey results as submitted by the Travel Plan Coordinator (TPC).

1.10 Requirements of Travel Plan Scope to be secured via condition are set out below:

-The Final Full Travel Plan (TP) is to be submitted and approved by NTC at least 3 months prior to first occupation;

-The lifespan of the TP is from at least 3 months prior to occupation until at least the Final Annual Monitoring Report is produced, 5 years after first occupation, and approved by NTC;

-Policy Review. As a minimum TP to meet NTC Transport and Highways Supplementary Planning Document LDD12, North Tyneside Cycling Design Guide, Local Transport Note 1/20 Cycle Infrastructure Guide, and NTC Travel Plan Scope;

Within TP outline timescales for occupation and details of any phasing of the development;

-Site assessment, accessibility review and development proposals (including details on operation such as opening hours and number of staff);

-The documents listed in point 3 above are to be used when designing the layout of the site and linking to the surrounding highway, ensuring there is a direct connection into the site for walking and cycling;

-For Walking and Cycling demonstrate how staff and customers/visitors can get to the nearest:

Strategic cycle route(s);

Bus route(s); and

Metro Station(s) if applicable.

Include information on Public Transport;

Cycle parking for the development to be provided as per NTC LDD12. Ensure the cycle parking is secure and preferably covered;

Electric charging points for the development to be provided as per NTC LDD12 and any current/emerging National Guidance;

-Aims & objectives;

-Baseline travel patterns derived from Census;

-The TP Mode Share Targets should be displayed in a table breaking the % targets down by each year (minimum Baseline and 1 to 5) and each mode. The TP should be ambitious in seeking to limit the modal share for single occupancy car trips. The annual targets are to be agreed with NTC;

-Details of management of the Travel Plan and Travel Plan Coordinator (TPC) role/appointment;

-Details of any Steering Group/Working Group created to manage the travel plan delivery for the development;

-The TPC should engage with TPC's for surrounding areas/developments;

-A suitably experienced Travel Plan Coordinator (TPC) is to be in place at least 3 months prior to occupation and for the lifespan of the TP, to be in place until at least the -Final Annual Monitoring Report is produced, 5 years after first occupation, and approved by NTC. The TPC is to be a named person within the TP including their contact details to enable NTC to contact them directly;

-In the absence of a TPC being identified at the planning stage, NTC will carry out the TPC role on behalf of the developer at the developer's expense;

-If the TPC changes, NTC are to be informed of the new TPC and the updated contact details within 10 days;

-Measures to be delivered including responsibilities for their delivery and funding.

- Including utilising websites/social media to highlight the different travel options to the development, notice boards, promoting car sharing, promoting national initiatives such as walk to work week/bike to work week etc;
- Staff Welcome Pack to be provided for each staff member;
- Details of any Travel Plan Incentives proposed for staff members;
- Suitable changing and storage facilities are to be provided for staff to encourage walking, cycling and public transport;
- Details of Delivery and Servicing for the development;
- Details of how Car Parking will be managed for the development;
- Include a commitment for how the cost of the TP will be met and by whom;
- Identify potential future actions for travel plan development and refinement;
- Monitoring and review;
- The TP applies to all movements associated with the development, with post occupation baseline monitoring completed within 6 months of first occupation, then annual monitoring to be undertaken until 5 years after first occupation;
- The Monitoring surveys required are:
Staff Travel Behaviour Surveys (minimum 75% response rate required);
Customer/visitor Travel Behaviour Surveys; and
Parking Surveys (car (including informal/out of bay) and cycle parking).
TP Annual Monitoring Report to be submitted to NTC for approval within 2 months of monitoring surveys being undertaken;
- Include an Action Plan table which includes all measures and actions outlined within the TP including when an action is established as well as the frequency of the action being repeated; for the lifespan of the TP. To be clear who has responsibility for undertaking each action. Ideally include a budget cost for delivering each action for the lifespan of the TP;
- Within the Action Plan include timescales associated with the delivery of the TP such as Monitoring Surveys being undertaken and TP Annual Monitoring report being submitted to NTC;
- It is important to establish a remedial strategy within the TP so that all interested parties are clear what action will be taken if targets are not achieved, or if current projections suggest that targets will be missed. The TP must include a commitment for how the remedial strategy will be funded;
- The Travel Plan should be a stand alone document and not rely on information provided in other documents;
- The contact email address for engagement with NTC regarding the travel plan is: new.developments@northtyneside.gov.uk

Notwithstanding the details submitted in the Travel Plan, no part of the development shall be occupied until a Full Travel Plan in accordance with the council's Travel Plan Scope, has been submitted to and approved by in writing the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with the agreed Travel Plan. The Travel Plan will require the Travel Plan Coordinator to be in place three months prior to first occupation until at least five years from first occupation and will also include an undertaking to conduct annual travel surveys to monitor whether the Travel Plan targets are being met with a Monitoring Report submitted to the council within two months of surveys being undertaken.

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

1.11 Manager of Environmental Health (Pollution)

1.12 The premises are located on a dedicated industrial estate with nearest sensitive residential located at approximately 114 metres to the east of the site at Festival Cottages and south east at Station Road. I would be concerned about potential noise from plant and equipment and operational noise arising from the new commercial/light industrial buildings and also any potential odours arising from activities at the site if new flues or vents were installed. I would recommend conditions are attached to any approval to restrict operations to daytime hours only and require details to be submitted for approval for any vents of flues to be installed at the units. I would also require that any noise arising from any external plant and equipment that might be installed in the units would need to be assessed for impact on other businesses and other nearby sensitive receptors. If the occupiers of the units were required to store dusty materials or storage of wastes then this could give rise to potential nuisance on other neighbouring units, I would therefore recommend conditions to prevent such activities.

1.13 If planning consent was to be given I would recommend the following conditions:

Installation of New External Plant and Equipment:

A noise scheme must be submitted in accordance with BS4142 to determine the background noise level without the new plant and equipment noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment installed at the industrial units does not exceed the background noise level. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order

There shall be no burning of materials on the site.

Reason: In the interests of protecting the amenities of the occupiers of surrounding land and properties.

There shall be no external storage of any dust generating materials at the industrial units.

NOI02

EPL01 for any external vents and chimneys

EPL02

HOU03 0700-2300 hours

HOU04

HOU05

SIT03

REF01

REF02

LIG01

1.14 Manager of Environmental Health (Contaminated Land Officer)

1.15 The planning statement refers to the following document (Page 7):

Contaminated and Mine Risk Assessment. This is provided in a separate report by FWS Geotechnical & Environmental Consultants, document number: 3815OR01-DS, Issue: December 2020

1.16 As this has not been submitted and to ensure the site is suitable for its proposed end use the following must be attached:

Con 003
Con 004
Con 005
Con 006
Con 007

1.17 Regeneration

1.18 We would welcome this proposal as it is investment in our existing allocated employment areas and creates a larger floorplate for usage, which will prove attractive to businesses long term.

1.19 Lead Local Flood Authority (LLFA)

1.20 I have no objections to the proposals as the applicant will be providing betterment in regard to the developments surface water drainage.

1.21 Biodiversity Officer

1.22 A Preliminary Ecological Appraisal (PEA) has been submitted to support the application which shows that the site supports 3no. trees and amenity grassland that will be lost to facilitate the scheme. The buildings and trees on site do not provide potential roost features for bats and the building has been assessed as having negligible suitability for bats.

1.23 Habitats on site provide limited biodiversity value, however, a landscape scheme will need to be submitted that demonstrates net gain through planting. Whilst a proposed landscape plan has been submitted showing 'green' areas around the site boundary, no detail has been provided. It is recommended that a landscaping scheme should be submitted that provides native hedgerows along site boundaries with some native species rich grassland adjacent to the hedges. Trees should also be provided to replace those being lost. The incorporation of these measures will ensure a net gain within the site.

1.24 The following conditions should be attached to the application:

Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include new tree/scrub planting with new hedgerow planting and wildflower grassland to the boundaries of the site. A fully detailed specification (including maintenance) is to be included and a minimum of 4no trees are to be specified as 14-16cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. Any trees, shrubs or wildflower areas that die or are removed within five years of planting shall be

replaced in the next available planting season with others of similar size and species

Should bats be found during the development, works must cease immediately, and a suitably qualified ecologist contacted for further advice.

No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

1no. bird and 1no. bat boxes will be provided in suitable locations (buildings) within the development site. Details of bird and bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

1.25 Landscape Architect

1.26 The application site is positioned on the corner of Locomotion Way and Mylord Crescent within the Camperdown Industrial Estate. The application is looking to demolish an existing industrial building and rebuild with a number of new multi-unit commercial/light industrial buildings.

1.27 The site is a 0.41 hectare industrial estate plot with two existing buildings; an office and a workshop fronting the corner of Locomotion Way and Mylord Crescent, with a large warehouse shed building located to the east, fronting Mylord Crescent. The open areas of the site are mainly hardstanding with an area of amenity grass around the office building. The proposed new building will occupy part of the area currently occupied by the warehouse shed building and include an area to the east and south of the site. The existing metal fencing surrounding the site will remain and both existing access points located on Locomotion Way and Mylord Crescent are to be retained, with new mechanical sliding gates fitted. The proposed plan shows a new section of fencing will be constructed on the corner of Locomotion Way and Mylord Crescent that will include some of the outside grass verge.

1.28 An area of amenity grass is located within the site which extends outside the application site beyond the fence line along Locomotion Way and Mylord Crescent. There are 2no trees (*prunus sp.*) and 1no pine (*Pinus sp.*) located within the application site which will be removed to facilitate the development, therefore the following local plan policy applies:

Policy DM 5.9 Trees, woodland and hedgerows

1.29 An AIA has not been submitted but the 2no prunus trees (T1 and T2) located to the south west corner of the site and a semi mature pine tree (T3) could be removed. The pine tree, located up against the neighbouring building, is probably not located in the best position. It is unfortunate that T1 and T2 will need to be removed as they provide a level of amenity to the surrounding area,

but it is important that they are replaced and in locations that maintain this amenity.

1.30 The submitted landscape scheme will provide areas of amenity grass and new planting however no detail has been provided. The new development will result in cars and buildings dominating the frontage areas. This is a visual change from existing, where buildings and car parking were set back within the application site and any meaningful areas of landscape planting are mainly left-over spaces. It is important to establish the requirements for the landscape scheme early in the design process so that it may contribute to the layout of the development and ensure that sufficient space is available for appropriate planting and other landscape features. In terms of a landscape scheme it should be well-designed that looks to promote landscape character, a sense of place and reduce the visual impact of the development.

1.31 On balance, the principle of the development is acceptable but would be subject to a high-quality landscape scheme that includes new tree planting within the site and new hedgerow planting to the boundaries with Locomotion Way and Mylord Crescent to reduce the visual impact of the car parking. If visibility and security is a concern the planting to the boundaries can be maintained as a low growing hedge with trees included. Trees to be planted within the site should include a minimum of 4no extra heavy standard trees to replace those which are to be removed. Other trees around the site can be specified smaller in size.

1.32 The following condition is to be applied:

Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include new tree and shrub planting with new hedgerow planting to the boundaries of the site. A fully detailed specification (including maintenance) is to be included and a minimum of 4no trees are to be specified as 14-16cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

2.0 Representations

2.1 One representation has been received. This is summarised below:

We are opposite the site in question and whilst we have no objections to what is proposed, our concern is parking on Locomotion Way. Cars and other vehicles are now more prevalent parked on Locomotion Way, and we would want to ensure this is handled correctly. We need to get 40ft container wagons into our facility on a regular basis, and this has become increasingly difficult in recent months, with smaller units requiring more space for cars. It would be better, perhaps, to put double yellows around the estate as most other industrial estates have now.

3.0 External Consultees

3.1 Newcastle International Airport Limited (NIAL)

3.2 No comments to make.

3.3 Northumbria Police

3.4 We have no objections to the planning application; however we would like to make the following comment:

3.6 The Planning Statement details “16 covered and secured cycle parking bays”, I would recommend this is built to Secured by Design (SBD) Standards, which would include secure ground anchors, be lit after dark (if in use) and be open to surveillance. Further details can be found at www.securedbydesign.com

3.7 The SBD website will also provide details around Commercial developments and provides design guidance and specification requirements for reducing the risks for crimes against the person or property.

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