

Application No:	22/02216/FUL	Author:	Maxine Ingram
Date valid:	15 December 2022	☎:	0191 643 6322
Target decision date:	16 March 2023	Ward:	Camperdown

Application type: full planning application

Location: Site of Former West House, Grasmere Court, Killingworth, Newcastle Upon Tyne

Proposal: New build housing, consisting 22no. units: Mixture of 1 & 2 bed flats, 2 & 3 bed houses with associated car parking and landscaping

Applicant: North Tyneside Council

Agent: North Tyneside Council

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

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

- Principle of the development, including the loss of open space,
- Impact on the character and appearance of the area,
- Impact upon the amenity future residents,
- Impact on highway matters,
- Impact on biodiversity, including the wildlife corridor; and,
- Other issues.

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

2.0 Description of the Site

2.1 The application site measures approximately 0.5 hectares (ha). It contains the remnants of the demolished building, former public house, with surrounding hard standing and car parking. In the southeast corner of the site is an area of designated open space in the Council's Local Plan (LP). This area of open space is dissected by a footpath and trees are sited on a grass embankment. A small pond is located on the site.

2.2 To the north the site is bound by Angus Close. To the east the site is bound by Swindale Drive. To the south the site is bound by Grasmere Court. To the west of the site is Grasmere Academy.

2.3 Existing residential dwellings vary in height from bungalows to three storeys. The design of the properties also varies.

2.4 The site is located close to the Killingworth Centre and local bus services. Killingworth Lake and play site are located to the south of the site.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the construction of 22 residential units with associated car parking and landscaping.

3.2 The proposed units will be affordable. The following housing mix is proposed:

- 10 no. 2 bed houses

- 2 no. 3 bed houses

- 2no. 1 bed flats

- 8no. 2 bed flats

3.3 The proposed two storey houses will be sited in the northern part of the site. Each house will have a north facing front garden and a south facing rear garden. The refuse storage for units 2, 3, 4 and 9 will be sited in the front garden. The refuse serving the remaining houses will be sited in the rear garden. All units will be provided with a garden shed. Each unit will have its own parking.

3.4 The proposed apartments will be sited in the southern part of the site. Communal gardens are located to the north and south of the site. Each unit will have its own parking located to the west of the building.

3.5 The existing area of open space to the southeast side of the footpath will be retained. The existing area of open space to the northwest side of the footpath will be utilised to provide the detention basin and it will be landscaped. The existing footpath will be renewed.

3.6 The existing footpath along the western boundary of the site will be retained. Alterations to the existing footpath and fence line for the school will be altered and directed through the northwest corner of the site adjacent to Unit 1. This will then connect to the footpath that is sited along the northern boundary of the site and the south side of the parking bays that will be subject to a separate stopping up application.

4.0 Relevant Planning History

15/00245/FUL - Demolition of the former West House and erection of 11 new build residential dwellings (Amended plans received 19.10.15) – Permitted 17.11.2015

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (July 2021)

6.2 Planning Practice Guidance (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, including the loss of open space,
- Impact on the character and appearance of the area,
- Impact upon the amenity future residents,
- Impact on highway matters,
- Impact on biodiversity, including the wildlife corridor; 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 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 219 of the NPPF that, "... 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)". Except for housing policies, the Council considers that the LP policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.2 Paragraph 7 of NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

8.3 Paragraph 8 of NPPF states that a social objective is one of the three overarching objectives of the planning system and that amongst other matters it should seek to support a sufficient number and range of homes to meet present and future needs which support communities' health, social and cultural well-being.

8.4 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision takers should approve development proposals that accord with an up-to-date development 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. In this case, development plan policies important to the determination of housing applications will be regarded as out of date because the LPA cannot currently demonstrate a five-year supply of deliverable housing sites. What is referred to as the 'tilted balance' principle means there is a presumption towards planning permission being granted unless there are adverse impacts which would significantly and demonstrably outweigh the benefits.

8.5 Paragraph 12 of the NPPF makes it clear 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.

8.6 Paragraph 98 of NPPF states that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.

8.7 Paragraph 99 of NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) 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
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

8.8 Paragraph 60 of NPPF states that to support the Government's objective to significantly boost the supply of homes, it is important that sufficient amount and variety of land can come forwards where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

8.9 Paragraph 74 of the NPPF requires Local Planning Authorities to identify and update 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 needs 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%.

8.10 The purpose of the planning system is to contribute to the achievement of sustainable development. This purpose 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.

8.11 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.

8.12 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.

8.13 Strategic Policy S5.1 'Strategic Green Infrastructure' states, 'The Council will seek the protection, enhancement, extension and creation of green infrastructure in appropriate locations within and adjoining the Borough which supports the delivery of North Tyneside's Green Infrastructure Strategy. Where deficiencies in the quality of green infrastructure and in particular types of green infrastructure are identified in relevant up-to-date evidence, improvements will be targeted to those areas accordingly.

8.14 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...."

8.15 LP Policy DM4.5 'Criteria for New Housing Development' states that proposals for residential development on sites not identified on the Policies Map will be considered positively where they can:

- a. Make a positive contribution to the identified housing needs of the Borough; and,
- b. Create a, or contribute to an existing, sustainable residential community; and
- c. Be accessible to a range of sustainable transport modes; and
- d. Make the best and most efficient use of available land, whilst incorporating appropriate green infrastructure provision within development; and
- e. Be accommodated by, and make best use of, existing infrastructure, and where further infrastructure requirements arise, make appropriate contribution to its provision; and
- f. Make a positive contribution towards creating healthy, safe, attractive and diverse communities; and,
- g. Demonstrate that they accord with the policies within this Local Plan.

8.16 LP Policy DM5.2 'Protection of Green Infrastructure' states that 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 use of the green infrastructure and the benefits to green infrastructure would outweigh any loss of open space.

8.17 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.

8.18 LP Policy DM5.3 'Green Space Provision and Standards' states that 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. Opportunities should be sought to improve provision for new and existing residents.

8.19 The Council's Green Space Strategy 2015 (GSS) identifies a range of green spaces. Part of the site is designated as open space (amenity greenspace) – high quality and medium value.

8.20 Annex 2 of the NPPF defines open space as: *"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."*

8.21 National Planning Policy Guidance states that open space, *"can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see National Planning Policy Framework paragraph 171, as well as being an important part of the landscape and setting of built development"*.

8.22 Chapter 13 of the Green Space Strategy, 'The Design of Green Spaces' also sets out how green spaces can be functional and can:

- Deliver biodiversity benefit through integrated habitat areas within the space and its borders to support and allow movement of wildlife; and
- Implement, where appropriate, flood storage or sustainable urban drainage systems (SuDS) to negate flood risk issues.

8.23 The area of designated open space is in the southeast corner of the site. It is dissected by an existing footpath. The area to the southwest side of the footpath will be retained and additional trees will be planted. The area to the northwest side of the footpath will be utilised to accommodate the required detention basin and it will be planted with a native scrub mix to enhance biodiversity.

8.24 It is noted that Policy DM5.3 requires new developments to sustain the current standards of green space provision. When considering the requirements of Policy DM5.2 it is not considered that this proposal results in a loss of open space as most of it is to be retained as is and will remain accessible. The area which will be altered will provide drainage and biodiversity enhancements thereby improving its function whilst still being accessible.

8.25 This proposal will make efficient use of this site part of which is brownfield. The site is located in close proximity to existing local services.

8.26 It is noted that the LP Policies Map identifies part of this site as a site with planning permission for residential development. Members are advised that the relevant grant of planning permission has lapsed. The Council is unable to demonstrate a five-year housing land supply and therefore, in accordance with paragraph 11 of the NPPF, the 'tilted balance' applies meaning that planning permission should be granted unless there are adverse impacts which would significantly and demonstrably outweigh its benefits.

8.27 Members need to determine whether the principle of development is acceptable. It is officer advice that this proposal complies with the above policies as the existing open space is to be retained and enhanced. Subject to all other matters set out below being addressed, the principle of bringing this site forward for development is acceptable.

9.0 North Tyneside Council Housing Land Supply

9.1 Paragraph 74 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 five-year housing land summary included within the Housing Land Availability Assessment, November 2022. It identifies the total potential 5-year housing land supply in the borough at 4,008 additional dwellings, a total which includes delivery from sites yet to gain planning permission. This represents a shortfall against the Local Plan requirement or approximately a three-year supply of housing land. It is important to note that this assessment of five-year land supply includes over 1,000 homes at proposed housing allocations within the Local Plan (2017). The proposed dwellings would make a contribution towards the borough achieving a five-year housing land supply.

9.3 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. This is therefore in accordance with LP policies S4.1 and S4.2(a) 'Housing Figures'.

10.0 Impact on the character and appearance of the area

10.1 Paragraph 126 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 130 of the NPPF states “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 92 of the NPPF, amongst other matters, seeks to promote health and safe communities.

10.4 Paragraph 131 of the NPPF states “Trees make an important contribution to the character and quality of urban environments and can also help to mitigate climate change.” It goes on to state that decisions should ensure that new streets are tree-lined (unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate). Opportunities should be taken to incorporate trees elsewhere into developments, secure measures to ensure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible.

10.5 Paragraph 134 of the NPPF makes it clear that development that is not well-designed, especially where it fails to reflect local design policies and government guidance on design should be refused. Significant weight should be given to development which reflects local design policies etc. and development which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the surroundings.

10.6 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 of 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.”

10.7 LP Policy DM4.6 ‘Range of Housing Types and Sizes’ seeks to ensure that new residential development provides a mix of homes to meet current and future demand, and to create sustainable communities.

10.8 LP Policy DM4.9 ‘Housing Standards’ states that the Council will require that new homes provide quality living environments for residents both now and in the future. All new homes, both market and affordable, are to meet the Government’s Nationally Described Space Standards (NDSS).

10.9 LP Policy DM7.9 ‘New Development and Waste’ states “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.”

10.10 LP DM5.9 ‘Trees, Woodland and Hedgerows’ supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

10.11 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.

10.12 The proposed housing, Units 1-12, will be sited in the northern part of the site overlooking Angus Close. These units have been split into four blocks of short terraces and semi-detached properties. The staggered building line is reflective of the staggered building lines within the vicinity of the site. This design approach creates an outward facing development onto Angus Close and will increase natural surveillance to this part of the site.

10.13 The proposed flats will be sited in the southern part of the site overlooking Grasmere Court. Design features have been added to break up the visual appearance of the flats. The design of the flats will increase natural surveillance towards the parking area, the open space and the communal garden areas.

10.14 In response to the initial design comments, the applicant has amended the proposed boundary treatments. The rear gardens serving the housing will be enclosed by 1.8m high timber fencing with brick piers and the gardens will be divided with 1.8m high timber fencing. The front gardens will be enclosed by a 0.4m high timber trip rail. The communal gardens serving the flats will be partly enclosed by approximately 1.5m high timber fencing and a 0.4m high timber trip rail.

10.15 In response to the initial design comments, the applicant has amended the location of the refuse storage for most of the housing and apartments. Some of the houses require the refuse storage to be sited in the front garden therefore they will need to be in purpose-built accommodation to ensure the bins do not undermine the visual quality of the development. The applicant has also relocated the sheds serving the housing further from the rear windows.

10.16 The height of the existing housing varies from single storey to three storeys. The height of the proposed dwellings will not exceed two storeys.

10.17 The proposed layout demonstrates that the site can accommodate the number of units proposed. Each house will have its own garden and parking. Each flat will have access to a communal garden and parking. The site also accommodates a detention basin and landscaping.

10.18 Conditions to secure materials of construction, hard surfacing, landscaping, refuse stores and external features are suggested to ensure that appropriate final details are secured.

10.19 As already discussed, most of the designated open space will be retained and part will be used to accommodate the detention basin and provide biodiversity enhancements. These spaces will remain accessible, and the existing footpath will be renewed. The proposed layout maintains pedestrian access through and around the site.

10.20 Northumbria Police have advised that since their initial comments they have discussed the proposal with the development, and they are content with the current application.

10.21 The Northumberland and Newcastle Society (N&N) supports this proposal. Some of the comments raised have been addressed regarding refuse storage and boundary treatments.

10.22 Members need to consider whether the proposed development is acceptable in terms of its design and layout, and whether it is in keeping with the character and appearance of the immediate surrounding area. It is officer advice that the proposed number of units can be comfortably accommodated within the site without causing significant harm to the character and appearance of the

immediate surrounding area. As such, subject to the imposition of the suggested conditions, the development is in accordance with the advice in the NPPF, LP Policies DM6.1, DM5.9 and DM5.7 and the Design Quality SPD.

11.0 Impact upon the amenity future residents

11.1 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location considering 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 impact resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

11.2 The NPPF states that planning should always seek to ensure that developments 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.

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

11.3 LP Policy DM5.19 'Pollution' states, amongst other matters, development that may cause pollution will be required to incorporate measures to prevent or reduce pollution so as not to cause unacceptable impacts to the environment, to people and to biodiversity. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

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

11.5 The 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.

11.6 LP Policy DM4.9 'Housing Standards' states that to ensure that new homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities they must meet the standards set out in this policy subject to viability.

11.7 A noise assessment has been submitted as part of this application.

11.8 The Manager for Environmental Health has considered the noise assessment which included noise arising from the primary school and the distant

railway line. This assessment has considered the noise levels from both sources. Noise levels from the school and rail line are not considered to give rise to adverse impact. The consultee has advised that noise is not considered to be a deciding factor for this development and standard double thermal glazing will be sufficient.

11.9 The Manager for Environmental Health has recommended conditions in relation to the submission of a Construction Method Statement and to control working hours will further assist in alleviating the impact on the amenity of local residents during construction works.

11.10 No. 62 Angus Close and Nos. 21-29 Dove Close are sited to the north of the application site. There are no windows sited in the south elevation of No. 62 Angus Close. A separation distance of over 21m will exist between the front of the proposed housing and the rear elevations of Dove Close. Due to the separation distance that will exist, it is not considered that these units will significantly affect the residential amenity of this neighbouring properties in terms of loss of light, outlook or privacy.

11.11 Unit 12 will be located to the west of No. 20 Swindale Drive. A separation distance of approximately 15m will exist between the gable of the proposed house and the gable of this bungalow. Due to the separation distance that will exist, it is not considered that this unit will significantly affect the residential amenity of this neighbouring property in terms of loss of light, outlook or privacy.

11.12 The proposed flats will be located to the west of Swindale Drive. Due to the siting of the proposed flats, it is not considered that they will significantly affect the residential amenity of these neighbouring properties in terms of loss of light, outlook or privacy.

11.13 The proposed flats will be located to the north of Grasmere Court. A separation distance of over 21m will exist between the south elevation of the proposed flats and the north elevation of the properties sited on Grasmere Court. Due to the separation distance that will exist and the orientation, it is not considered that this unit will significantly affect the residential amenity of this neighbouring property in terms of loss of light, outlook or privacy.

11.14 The layout of the development is considered to be acceptable in terms of separation distances and the standard of living accommodation for future occupiers. Each house will have their own private garden and the apartments will have access to outside space. All units will have adequate windows to provide good levels of light, outlook and privacy. Each unit will have its own parking bay, cycle storage and refuse storage. A condition is recommended to ensure all units will be in accordance with the Government's Nationally Described Space Standards (NDDS).

11.15 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity for both existing and future occupants. As such, it is officer advice, subject to imposing the suggested conditions, that the proposed development does accord with the advice in paragraph 185 of the NPPF and LP policies DM5.19 and DM6.1.

12.0 Impacts on highway matters

12.1 The NPPF paragraph 111 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 112 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 The NPPF paragraph 113 sets out guidance on sustainability and connectivity.

12.4 LP 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.

12.5 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 considered and seek to promote sustainable travel to minimise environmental impacts and support resident's health and well-being.

12.6 The Transport and Highways SPD sets out the parking standards for new development.

12.7 The existing site access from Grasmere Court will be utilised as parking for the proposed flats. For the proposed houses to the north a mixture of off-road driveways have been provided and an area of existing residents parking leftover from the former garages will be utilised. The applicant has advised that existing residents parking will be subject to a stopping up application running in tandem with this planning application.

12.8 The applicant has carried out a traffic survey to determine the existing traffic and parking situation along Angus Close and Grasmere Court. The survey findings concluded that there will be very little impact on existing residents parking arrangements. The proposal accommodates enough parking to comply with the Council's parking standards as well as an additional nine spaces that can be used to cater for school parking and two spaces have also been provided for minibuses for use by the school.

12.9 The proposal also allows for cycle storage. A dedicated lockable cycle store for the flats and a shed will be provided for the houses.

12.10 The site has reasonable links to public transport and local services.

12.11 The Highways Network Manager has considered the submitted traffic surveys and plans. He has advised that parking and cycle will be provided in

accordance with current standards and refuse will be stored on site. He notes that an area of existing parking will be removed, and the associated adopted highway formally stopped up. The traffic survey demonstrates that this area is not particularly well-used.

12.12 The Highways Network Manager has not concluded that this development would result in an unacceptable impact on highway safety or the residual impacts on the road network would be severe. He has suggested planning conditions, which in his opinion, will mitigate the impacts of this development.

12.13 The Sustainable Transport Team Leader has advised they do not have any comments to make.

12.14 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. As such, the proposed development accords with the NPPF and the LP.

13.0 Impact on biodiversity, including the wildlife corridor

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 174 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 179 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 180 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' seeks to protect, create, enhance and manage sites within the borough relative to their significance.

13.5 LP Policy DM5.2 'Protection of Green Infrastructure' relates to proposals which include any loss of any part of the green infrastructure network.

13.6 LP Policy DM5.5 'Managing Effects on Biodiversity and Geodiversity' states that all development proposals should amongst other matters protect biodiversity and minimise the fragmentation of habitats and wildlife links.

13.7 LP Policy DM5.6 'Management of International Sites' states that proposals that are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects, will require an appropriate assessment. Proposals that adversely affect a site's integrity can

only proceed where there are no alternatives, imperative reasons of overriding interest are proven and the effects are compensated.

13.8 LP Policy DM5.7 'Wildlife Corridors' states that development proposals within a wildlife corridor must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

13.9 LP Policy DM5.9 'Trees, Woodlands and Hedgerows' supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

13.10 The application site falls beyond the 6km 'zone of influence' for coastal sites designated at a national and international level as Sites of Special Scientific Interest (SSSI) and Special Protection Areas (SPA's)/Special Areas of Conservation (SAC)/Ramsar sites. Since this application will result in an increase in residential accommodation, impacts to the designated sites may result from increased recreational disturbance. Therefore, this development will need to comply with Policy DM5.5 and 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.

13.11 Natural England have been consulted. They are satisfied that, subject to appropriate coastal mitigation being secured, there will be no damage or disturbance to the coastal areas. A condition is recommended to ensure appropriate mitigation is secured.

13.12 The Biodiversity Officer has considered the submitted Ecological Impact Assessment (EclA) and the Biodiversity Net Gain (BNG) Report and Biodiversity Metric.

13.13 The southern part of the site is brownfield land formerly accommodating buildings set out on hardstanding. The buildings have been demolished and this area now comprises ephemeral/short perennial vegetation which grades to areas of poor semi-improved grassland and tall ruderal. There is a small pond in the centre of the brownfield area. The north and east of the site comprises hardstanding, used as car parking, and amenity grassland. There are also a number of amenity trees across the site.

13.14 The submitted EclA advises the site is considered of up to local value for foraging/commuting bats, birds and hedgehog with other protected and priority species likely to be absent. The EclA does not recommend any further ecological surveys and concludes that subject to the recommendations in the report being implemented, the proposal could proceed with no significant adverse effect on

notable species and/or habitats. Conditions to secure ecological enhancements will be secured by condition.

13.15 The BNG Report and Biodiversity Metric show that most of the habitat lost within the site is modified grassland with some ruderal/ephemeral habitat, a small pond and 7 small and medium size trees. The Landscape Strategy indicates that the site will deliver species rich neutral grassland, mixed native scrub, 8no. medium size urban trees and a SUDs scheme. However, due to the limited space within the site, the scheme is unable to deliver a net gain for biodiversity on site, therefore, off-site compensation will be required. The off-site compensation can be delivered at Keegan Park opposite the site. It is noted that the consultee has advised that the BNG Report and Metric are not consistent with the landscape strategy. A condition is recommended to ensure these reports are updated and demonstrate consistency with the landscape strategy and also provided details of the off-site compensation land.

13.16 This development will also result in the loss of a small pond. The proposed drainage is a dry detention basin. The consultee has advised that to satisfy the trading rules of the biodiversity metric the drainage will need to be designed to hold some permanent water to replace this pond. A condition is recommended to secure these details.

13.17 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity, including the wildlife corridor, and whether appropriate landscaping is being secured. Subject to imposing the suggested conditions, it is officer advice that the proposal will not cause unacceptable harm to biodiversity interests, regarding the existing wildlife corridor and protected species. Officers do not consider that the proposal will conflict with Policies S5.4 and DM5.5 of the LP which seek to protect biodiversity resources, including non-statutory sites; conserving, enhancing and managing local sites and wildlife corridors; and the effects on protected species and locally designated sites. Officers do not consider that the proposal will conflict with Policy DM5.7 which seeks to ensure that all new developments take account of and incorporate existing wildlife links into their plans at the design stage. In the absence of harm, neither will there be conflict with paragraph 180 of the NPPF which seeks to avoid, adequately mitigated, or as a last resort, compensate for significant harm to biodiversity.

14.0 Other issues

14.1 Flood Risk

14.2 Paragraph 167 of the NPPF states “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....”

14.3 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.

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

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

14.6 The site is in Flood Zone 1 and a Critical Drainage Area. A Flood Risk and Drainage Impact Assessment and drainage plans have been submitted as part of the application.

14.7 The Lead Local Flood Authority (LLFA) has reviewed the application documents. The development will be providing surface water attenuation in the form of an underground storage tank with treatment being provided by a detention basin and permeable paving in the parking bays. These surface water features will provide attenuation for a storm event of 1 in 100 year + 45% allocation, for climate change and 10% urban creep. The surface water from the development will then discharge into the adjacent Northumbrian Water surface water sewer with a restricted discharge rate of 5l/s. This sewer then discharges into Killingworth Lake which the flood risk assessment states as an endorheic basin this in fact does have two outfalls which discharge into local watercourses, so the proposals are a suitable solution in the drainage hierarchy. Subject to imposing the suggested condition, it is considered that surface water can be appropriately mitigated for.

14.8 Northumbrian Water have raised no objections subject to imposing a condition to ensure the development is carried out in strict accordance with the submitted Flood Risk and Drainage Impact Assessment. They have advised that the submitted document reflects their pre-planning enquiry advice identifying foul connections and a surface water connection at a restricted rate of 5l/s.

14.9 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.

14.10 Ground conditions

14.11 Paragraph 183 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.

14.12 Paragraph 184 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.

14.13 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.

14.14 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 a MSA. Policy DM5.17 Minerals is considered to be relevant.

14.15 The application site is located within a Contaminated Land buffer zone.

14.16 A Geo-Environmental Assessment has been submitted as part of the application.

14.17 The Contaminated Land Officer has reviewed the submitted reports and has confirmed no gas protection measures are required. Conditions to deal with contaminated land will be required. Subject to imposing the suggested conditions, she does not object to this proposal.

14.18 The Coal Authority has advised that the site is not located in a coal referral area. They have advised that there standard informative is imposed should planning permission be granted.

14.19 Members need to consider whether the site is appropriate for its proposed use. It is officer advice, subject to conditions that the site would be appropriate for housing and mixed uses in accordance with the advice in NPPF and Policy DM5.18 of the LP.

14.20 Sustainability

14.21 Section 14 of the NPPF sets out the Government’s objectives for the planning system in terms of meeting the challenge of climate change, flooding and coastal change. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. Paragraphs 153 through to 158 set out measures for the planning system to address the climate change challenge, including the planning of green infrastructure, reduction of greenhouse gas emissions and increasing the use and supply of renewable and low carbon energy and heat. A planning application should be approved if its impact is, or can be made, acceptable.

14.22 LP Policy DM7.6 ‘Renewable Energy and Low Carbon Technologies’ states that proposals for development involving the provision of renewable and/or low carbon technologies, including micro-generation technologies, will be supported and encouraged except where the proposal would have unacceptable adverse effects that are not outweighed by the local and wider environmental, economic, social and other considerations of the development.

14.23 The properties will also be installed with solar panels and air source heat pumps are proposed to encourage use of renewable energy and low carbon technologies.

14.24 Members need to determine whether the proposed development is acceptable in terms of its provision of renewable and/or low carbon technologies, incorporation of green infrastructure and measures to reduce greenhouse gas emissions in accordance with Policy DM7.6 and the NPPF.

14.25 Aviation Safety

14.26 Newcastle International Airport Limited (NIAL) has been consulted. They have advised that whilst the landscaping will attract additional bird activity to the site. However, due to the location of the site and the relatively modest level of landscaping within a medium size development, the Airport considers that the hazardous species will not lead to any detrimental impact to their aerodrome operations. On this basis they do not object.

14.27 Archaeology

14.28 Paragraph 205 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.”

14.29 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.

14.30 The Tyne and Wear Archaeology Officer has advised no archaeological work is required.

15.0 S106 Contributions

15.1 Paragraph 55 of NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

15.2 Paragraph 57 of NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

15.3 LP Policy S7.1 ‘General Infrastructure and Funding Statement’ states that 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.

15.4 LP Policy DM7.2 'Development Viability' states that the Council is committed to enabling a 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. When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.

15.5 LP Policy DM7.5 'Employment and Skills' states that 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.

15.6 LP Policy DM4.7 'Affordable Housing' sets out that to meet the Borough wide housing target, the Council will seek provision of 25% affordable homes on new housing developments.

15.7 The Council's adopted SPD on Planning Obligations (2018) states that the Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with the applicants to identify appropriate solutions where matters of viability arise and require negotiation.

15.8 A Viability Assessment has been submitted. This has concluded that the scheme is not viable and the requested S106 contributions cannot be secured. Members are advised that this proposal will deliver 22no. affordable units and a coastal mitigation scheme will be secured by condition.

15.9 As this proposal will deliver 100% affordable housing provision, it is exempt from a CIL payment.

16.0 Local Financial Considerations

16.1 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration 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, will or that could be provided to a relevant authority by a 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 Community Infrastructure Levy.

16.2 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms. It is not considered that New Homes Bonus or CIL contributions are material in terms of making this development acceptable in planning terms.

17.0 Conclusions

17.1 Members should carefully consider 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 look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. A core planning principle within NPPF requires that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

17.3 This proposal would make a valuable contribution towards the requirement for the council to have a 5-year supply of deliverable housing sites. This is a significant material consideration which weighs in favour of the proposal.

17.4 The proposed layout demonstrates that the designated open space will be retained and enhanced. Members need to consider whether the design and layout of the proposal is acceptable in terms of its impact on existing residential dwellings and proposed residential dwellings. It is officer advice that it is acceptable.

17.5 Members need to consider whether this development is acceptable in terms of its impacts on existing and future occupants having regard to paragraph 185 of the NPPF and Local Plan Policies DM6.1 and DM5.19. It is officer that it is acceptable subject to imposing the suggested conditions.

17.6 Members need to consider whether this development is acceptable in terms of its impacts on highway safety and whether sufficient parking is provided. The proposal will provide parking in accordance with the Council adopted standards and will not have an unacceptable impact on highway safety or result in a residual cumulative impact that will be severe. It is officer advice that it is acceptable.

17.7 As there is a potential impact on designated sites at the coast, this development requires appropriate assessment however, the impacts relating to the Northumbria Coast SPA and Ramsar sites can be mitigated without causing significant adverse impacts. Members need to consider whether this development is acceptable in terms of biodiversity. Subject to securing appropriate coastal mitigation and imposing the suggested conditions the proposal would provide biodiversity net gain, which is encouraged by NPPF, and secure appropriate mitigation. The development will not significantly impact on protected species or significantly impact on the wildlife corridor. It is officer advice that it is acceptable.

17.8 Issues to do with flooding and contaminated land can be dealt with via conditions.

17.9 This proposal will deliver 100% affordable housing provision which significantly weighs in favour of this proposal.

17.10 The 'tilted balance' principle (NPPF paragraph 11) makes a presumption towards planning permission being granted unless there are adverse impacts which would significantly and demonstrably outweigh the benefits. The Council does not have a 5-year supply of deliverable housing sites. Development in locations with a housing shortfall should benefit from the presumption in favour. It therefore follows that planning permission should be granted unless the impacts of the development significantly and demonstrably outweigh the benefits. In the opinion of officer's, the impacts of the development would not significantly and demonstrably outweigh the benefits. It is therefore recommended that planning permission should be granted subject to conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

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

- Location Plan Dwg No. 22/004 003 Rev D
 - Existing site plan Dwg No. 22-004 002
 - Proposed site plan Dwg No. 22-044-010 Rev C
 - Construction details 1 Dwg No. 22-044-401 Rev P1
 - Block 1 elevations Dwg No. 22-044-116
 - Block 2 elevations Dwg No. 22-044-126
 - Block 3 elevations Dwg No. 22-044-136
 - Block 4 elevations Dwg No. 22-044-146
 - Block 5 elevations Dwg No. 22-044-158 Rev B
 - House Type D Dwg No. 22-004-D-101 Rev 1
 - House Type E Dwg No. 22-044-D-101 Rev 1
 - Block 5 floor plans Dwg No. 22-044-151 Rev B
 - Proposed external levels Dwg No. P22-266-3E-ZZ-XX-DR-C-2000 Rev P01
 - Drainage management and maintenance plan Dwg No. P22-266-3E-ZZ-XX-DR-C-0001 Rev P01
 - Proposed drainage layout Dwg No. P22-266-3E-ZZ-XX-DR-C-1000 Rev P01
 - Swindale Drive Flood Risk and Drainage Impact Assessment Dated 07.12.2022
- 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. Notwithstanding Condition 1, the scheme for new means of access shall be laid out in accordance with the approved plans prior to any part of the development hereby approved being occupied and retained and maintained thereafter.

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

4. Notwithstanding Condition 1, the scheme for parking and Electric Vehicle (EV) charging shall be provided and laid out in accordance with the approved plans. These parking areas shall not be used for any other purpose and retained thereafter.

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

5. Notwithstanding the Condition 1, the scheme for undercover cycle storage shall be provided and laid out in accordance with the approved plans. This cycle storage shall not be used for any other purpose and retained thereafter.

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

6. Notwithstanding Condition 1, the scheme for the provision of and storage of refuse, recycling and garden waste bins shall be provided and laid out in accordance with the approved plans and prior to the occupation of each dwelling. These storage areas shall not be used for any other purpose and retained thereafter.

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

7. Notwithstanding Condition 1, no part of the development shall be occupied until the scheme for highway closure under Section 247 of the Town and Country Planning Act 1990 has been carried out in accordance with the approved details and retained thereafter.

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

8. 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 predevelopment 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.

9. Notwithstanding Condition 1, prior to the first occupation of any part of the development hereby approved details of the appointed SUDS

management company, to manage the SUDS and any associated infrastructure is managed and maintained in perpetuity, 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. Following the appointment of the SUDS management company, if any changes to the appointed SUDS management company are required the Local Planning Authority must be informed in writing before any changes occur.

Reason: To ensure the viability of the surface water attenuation is maintained in perpetuity having regard to the NPPF.

10. 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 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.

11. Prior to the occupation of each dwelling on 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.

12. 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

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.

13. 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.

14. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Swindale Drive Flood Risk and Drainage Impact Assessment" dated "7th December 2022". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2401 or 2305 and ensure that surface water discharges to the surface water sewer at manhole 1302. 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.

15. Notwithstanding Condition 1, prior to the construction of any part of the residential development and any part of the commercial development hereby approved above damp-proof course level a schedule and/or samples of all hard 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).

16. Prior to any building works being first commenced, details of external features including extractor vents, solar panels, air source heat pumps, heater flues, alarm boxes, meter boxes and satellite dishes shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be implemented, retained and maintained unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interest of visual amenity having regard to policy DM6.1 of the North Tyneside Local Plan 2017.

17. Notwithstanding Condition 1, the proposed 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).

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

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

19. 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 for on-site and off-site landscape mitigation/compensation shall be submitted to and approved in writing by the Local Planning Authority and shall be in accordance with the approved Biodiversity Metric and Biodiversity Net Gain Report. The landscape scheme shall include a full specification for all new tree, shrub, hedgerow and wildflower planting and their maintenance. The landscaping scheme shall be implemented in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard (4428: 1989). On site landscaping is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Landscaping of the approved off-site compensation land is to be implemented upon commencement of development within the first available planting season by an approved contractor. Any trees, shrubs or wildflower areas that fail or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: To ensure that appropriate mitigation is secured and to enhance existing landscape features and wildlife populations having regard to the NPPF and Policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

20. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level, a detailed 30 year 'Management, Maintenance and Monitoring Plan' for all landscaping/habitat creation within the application site and the approved off-site compensation land, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed and paved areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The Plan will include the following:

- Details on the creation and management of all target habitats identified within the approved Biodiversity Metric, BNG Report and landscape plans for on-site and off-site mitigation/compensation.

- Survey and monitoring details for all target habitats identified within the approved Biodiversity Metric and BNG Report will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report to ensure the habitats are reaching the specified target condition. Any changes to habitat management as part of this

review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

-Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report.

Reason: To ensure that appropriate mitigation is secured and to enhance existing landscape features and wildlife populations having regard to the NPPF and Policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

21. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level, details of a sustainable drainage scheme containing permanent open water shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage scheme shall be implemented in accordance with these agreed details prior to the occupation of any part of the development hereby approved and shall be permanently maintained and retained.

Reason: To ensure that appropriate mitigation is secured and to enhance existing landscape features and wildlife populations having regard to the NPPF and Policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

22. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level, an updated Biodiversity Metric 3.1 and BNG Report shall be submitted to and approved in writing by the Local Planning Authority. These details shall include details of the off-site compensation at Keegan Park to deliver a biodiversity net gain.

Reason: To ensure that appropriate mitigation is secured and to enhance existing landscape features and wildlife populations having regard to the NPPF and Policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

23. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level, details of a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Light levels close to foraging/commuting areas such as trees and semi-natural habitats shall be low level, below 2m in height, and low lux (below 1 lux 5m from the light source). Warm-light LEDs with low UV shall be used, with cowls designed to accurately target which areas are lit. No lighting shall be installed within 5m of, or which spills onto, the group of amenity trees to the east of the site, particularly the low suitability tree in the north of the group.

Reason: To ensure that appropriate mitigation is secured to ensure protected species are adequately protected having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

24. Prior to the commencement of any part of the development hereby approved, a Precautionary Amphibian Working Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be undertaken in accordance with the approved details thereafter.

Reason: This information is required from the outset to ensure that appropriate mitigation is secured to ensure protected species are adequately protected having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

25. Prior to the installation of any boundary treatment details of hedgehog gaps 13cm x 13cm to be provided in fences between gardens and landscaped areas to allow hedgehogs to forage and commute across the site 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 which shall be permanently maintained and retained.

Reason: To ensure that appropriate mitigation is secured to ensure protected species are adequately protected having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

26. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 10no. bird boxes specifications and locations (including a mix of hole, open fronted and sparrow terrace boxes) shall be submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be installed on new houses/buildings within the development and shall be a minimum of 2m from the ground, near foraging habitat and ideally north to east facing. Thereafter, the bird boxes shall be installed in accordance with these agreed details prior to the completion of the development hereby approved and shall be permanently maintained and retained.

Reason: To ensure that appropriate mitigation is secured to ensure protected species are adequately protected having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

27. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 4no. bat boxes and 4no. bird boxes specifications and locations (suitable trees within the site) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bird and bat boxes shall be installed in accordance with these agreed details prior to the completion of the development hereby approved and shall be permanently maintained and retained.

Reason: To ensure that appropriate mitigation is secured to ensure protected species are adequately protected having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

28. 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).

29. 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°.

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. No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants of similar size and species.

Reason: To ensure that existing landscape features are adequately protected during construction and to ensure local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

31. Prior to the commencement of any part of the development hereby approved the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations shown and detailed in the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by Elliott Consultancy Ltd, unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority.

Reason: This information is required from the outset to ensure that existing landscape features are adequately protected during construction and to ensure local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

32. All works to be carried out in accordance with the submitted Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement submitted by Elliott Consultancy Ltd and within the guidelines contained within BS5837:2012 - Trees in Relation to Design, Demolition and Construction and NJUG Volume 4. The AMS is to form part of the contractors method statement regarding the proposed construction works. Regular inspections to be undertaken in accordance with section 6.8 of the Arboricultural Method Statement to provide any arboricultural advice necessary and to ensure the efficiency of the Tree Protection measures.

Reason: To ensure that existing landscape features are adequately protected during construction and to ensure local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

33. Prior to the occupation of any residential unit hereby approved, a scheme to address the impacts of the hereby approved development on the Northumberland Coast SPA shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in full accordance with the North Tyneside Coastal Mitigation Supplementary Planning Document July 2019.

Reason: In the interest of ecology and biodiversity having regard to policies DM5.5, DM5.6 and DM5.7 of the North Tyneside Local Plan 2017 and the North Tyneside Coastal Mitigation Supplementary Planning Document July 2019.

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 Reqd (I04)

The applicant is advised that the vehicular access to the highway must be constructed by or to the satisfaction of the Local Highway Authority. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a licence must be obtained from the Local Highway Authority before any works are carried out on the footway, carriageway verge or other land forming part of the highway. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that they should contact Highway Maintenance to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that all adopted highway no longer required must be stopped up under Section 247 of the Town and Country Planning Act 1990. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to

pedestrians and drivers, and are a source of danger to children, elderly people and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a license must be obtained from the Highways Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

The applicant is advised that requests for Street Naming & Numbering must be submitted and approved by the Local Highway Authority. Any complications, confusion or subsequent costs that arise due to non-adherence of this criteria will be directed to applicant. Until a Street Naming and Numbering & scheme been applied for and approved by the Local Highway Authority it will not be officially registered with either the council, Royal Mail, emergency services etc. Contact Streetworks@northtyneside.gov.uk for further information.

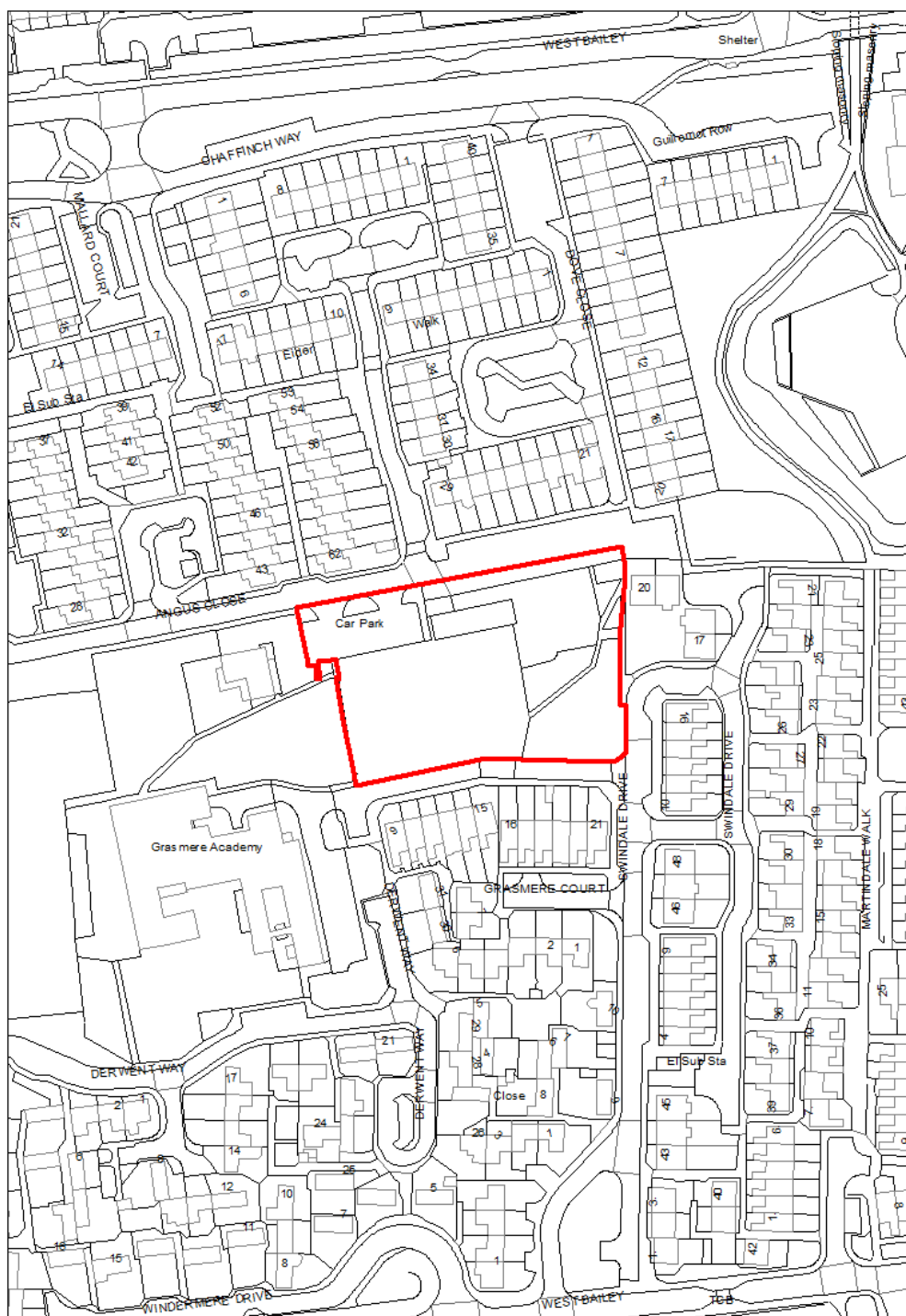
The applicant is advised that no part of the gates or garage doors may project over the highway at any time. Contact New.Developments@northtyneside.gov.uk for further information.

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

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

Northumbrian Water informs you that a public sewer and a water main crosses the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application. Further information is available at <https://www.nwl.co.uk/services/developers/>



Application reference: 22/02216/FUL

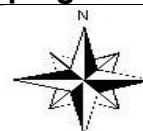
Location: Site Of Former West House, Grasmere Court, Killingworth, Newcastle Upon Tyne

Proposal: New build housing, consisting 22no. units: Mixture of 1 & 2 bed flats, 2 & 3 bed houses with associated car parking and landscaping

Not to scale

Date: 29.03.2023

© Crown Copyright and database right
2011. Ordnance Survey Licence
Number 0100016801



Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 The apartments will be accessed from Grasmere Court to the south and the dwellings via Angus Close to the north. Parking and cycle parking will be provided in accordance with current standards and refuse will be stored on site.

1.3 An area of existing parking will be removed, and the associated adopted highway formally stopped up. The developer has carried out parking surveys which demonstrate that this area is not particularly well-used. Conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 Conditions:

Notwithstanding the details submitted, the scheme for new means of access shall be laid out in accordance with the approved plans. This access shall not be used for any other purpose and retained thereafter.

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

Notwithstanding the details submitted, the scheme for parking and Electric Vehicle (EV) charging shall be laid out in accordance with the approved plans. These parking areas shall not be used for any other purpose and retained thereafter.

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

Notwithstanding the details submitted, the scheme for undercover cycle storage shall be laid out in accordance with the approved plans. This cycle storage shall not be used for any other purpose and retained thereafter.

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

Notwithstanding the details submitted, the scheme for the provision of and storage of refuse, recycling and garden waste bins shall be laid out in accordance with the approved plans and prior to the occupation of each dwelling. These storage areas shall not be used for any other purpose and retained thereafter.

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

Notwithstanding the details submitted, no part of the development shall be occupied until the scheme for highway closure under Section 247 of the Town and Country Planning Act 1990 has been carried out in accordance with the approved details and retained thereafter.

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

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 predevelopment 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.

1.6 Informatives:

The applicant is advised that the vehicular access to the highway must be constructed by or to the satisfaction of the Local Highway Authority. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a licence must be obtained from the Local Highway Authority before any works are carried out on the footway, carriageway verge or other land forming part of the highway. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that they should contact Highway Maintenance to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that all adopted highway no longer required must be stopped up under Section 247 of the Town and Country Planning Act 1990. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to pedestrians and drivers, and are a source of danger to children, elderly people

and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a license must be obtained from the Highways Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

The applicant is advised that requests for Street Naming & Numbering must be submitted and approved by the Local Highway Authority. Any complications, confusion or subsequent costs that arise due to non-adherence of this criteria will be directed to applicant. Until a Street Naming and Numbering & scheme been applied for and approved by the Local Highway Authority it will not be officially registered with either the council, Royal Mail, emergency services etc. Contact Streetworks@northtyneside.gov.uk for further information.

The applicant is advised that no part of the gates or garage doors may project over the highway at any time. Contact New.Developments@northtyneside.gov.uk for further information.

1.7 Manager for Environmental Health (Pollution)

1.8 The proposed site is adjacent to other residential dwellings and adjacent to a primary school.

1.9 I have viewed the noise assessment that has considered noise arising from the primary school and distant rail line. The noise consultant indicates associated noise from the school and the distant rail line would give noise levels of around 52 dB LAeq for the school and 55 dB LAeq for rail noise. Outdoor garden amenity will achieve levels of 50 dB LAeq or below based on a 1.8 boundary garden fence being provided. Noise levels from the school and rail line are not considered to give rise to adverse impact. Therefore, noise is not considered to be a deciding factor for this application and standard double thermal glazing will suffice for the development. If planning approval is to be given, I would recommend the following:

HOU04
HOU05
SIT03

1.10 Manager for Environmental Health (Contaminated Land)

1.11 I have read the Gas Risk Assessment and I am satisfied that no gas protection measures are required. No condition related to gas is needed.

1.12 With regards to other contamination my previous comments still stand:

1.13 I note that there has been an area of elevated PAH's identified. The Phase 2 report states:

1.14 Following a review of ground conditions noted within TP04 it is considered that the recorded levels of PAH contamination could potentially be attributable to an isolated 'hotspot' associated with the presence of ash contained within the made ground at this location. However, as the presence of ash was noted contained within the made ground at a number of the exploratory hole locations. In order to more accurately assess the potential for the increased levels of PAH's at the location of TP04 to be representative of an isolated 'hotspot' it is recommended that further sampling and screening of the made ground from around this location be undertaken to evaluate the extent of the affected materials.

1.15 Based upon the findings of these works, should made ground around TP04 be confirmed as representing an isolated 'hotspot' in order to negate any future risk it is recommended that the full extent of the affected materials be excavated and removed off-site to a suitable landfill facility, which would effectively remove the source of contamination off-site and negate the requirement for a dedicated clean cover system.

Alternatively, if the presence of PAH contamination is confirmed as being pervasive within the made ground below the site as a whole, further remedial measures (i.e. the implementation of a clean cover system) would be required for this site to negate any risk to future end users.

1.16 As contamination has been found a remediation strategy is required to be submitted, it should state what works are proposed to be carried out.

1.17 Based on the information submitted the following conditions must be applied:
Con 005
Con 006
Con 007

1.18 Design

1.19 Following comments which raised concerns, further information and amendments have been submitted. The revised plans address the issues previously raised regarding the bin stores, landscaping and boundary treatments. The application is now acceptable, subject to the recommended conditions.

1.20 Suggested conditions:

MAT03 Materials Building Schedule

MAT04 Materials Surfaces Schedule

LAN005 Landscape Scheme Implementation Period

DES01 External Features

Design of Refuse Stores

1.21 Sustainable Transport

1.22 No comments.

1.23 Lead Local Flood Authority (LLFA)

1.24 I have carried out a review of the surface water drainage proposals as submitted as part of planning application 22/02216/FUL and established the potential flood risks associated with site and the surrounding area. I can confirm I

have no objections to the proposed development as the site will be providing surface water attenuation in the form of an underground storage tank with treatment being provided by a detention basin and permeable paving in the parking bays. These surface water features will provide attenuation for a storm event of 1 in 100 year + 45% allocation, for climate change and 10% urban creep. The surface water from the development will then discharge into the adjacent Northumbrian Water surface water sewer with a restricted discharge rate of 5l/s. This sewer then discharges into Killingworth Lake which the flood risk assessment states as an endorheic basin this in fact does have two outfalls which discharge into local watercourses, so the proposals are a suitable solution in the drainage hierarchy.

1.25 I will require the following conditions to be placed on the application:

- Details of the appointed SuDS management company to be provided to LLFA following completion of development.

1.26 Biodiversity Officer

1.27 The development scheme is to provide 22no. units comprising 2 and 3 bedroom houses and 1 and 2 bed apartments. The proposed site is located in Killingworth on the site of the former Grasmere Court with Angus Close to the north and Swindale Drive to the east. Existing housing is located to the north, east and south of the site with a primary school to the west. The majority of the site to the west is allocated for housing and a smaller area to the east of the site is open space and within the wildlife corridor.

1.28 Ecological Impact Assessment (E3 Ecology R03 Dec 2022)

1.29 An ecological walkover survey of the proposed development site was undertaken in June 2022.

1.30 The site is approximately 0.5ha and comprises two distinct sections. The southern part of the site is brownfield land which formerly supported two buildings set on hardstanding, with grassland at the western edge. The buildings were demolished between 2018 and 2020 and this area now comprises ephemeral/short perennial vegetation which grades to areas of poor semi-improved grassland and tall ruderal. There is a small pond in the centre of the brownfield area, also created since 2018. The north and east of the site comprises hardstanding, used as car parking, and amenity grassland. There are also a number of amenity trees across the site. The site is considered of up to local value for foraging/commuting bats, birds and hedgehog with other protected and priority species likely to be absent. No further ecological surveys are recommended as a result of the assessment.

1.31 The EclA concludes that provided that the recommendations in the report are implemented, the proposal could proceed with no significant adverse effect on notable species and/or habitats. Ecological enhancement opportunities include landscaping focused on biodiversity and bat and bird nest box provision to deliver a net gain for biodiversity.

1.32 The results of the site survey combined with the desk study have highlighted a number of mitigation and compensation requirements in relation to protected

species, lighting and landscaping and these will be attached as conditions to the application as set out below.

1.33 BNG Report & Biodiversity Metric

1.34 A Biodiversity Net Gain (BNG) Report (E3 Ecology R02 Feb 23) & Biodiversity Metric 3.1 (E3 Ecology Dec 2022) have been submitted to support the application. The Metric calculation shows that the majority of the habitat lost within the site is modified grassland with some ruderal/ephemeral habitat, a small pond (approx. 30m²) and 7 small and medium size trees. The Landscape Strategy (DWG No: 400 Rev F) indicates that the site will deliver species rich neutral grassland, mixed native scrub, 8no. medium size urban trees and a SUDs scheme. However, due to the limited space within the site, the scheme is unable to deliver a net gain for biodiversity on site, therefore, off-site compensation will be required which has been identified and agreed within Keegan Park opposite the site. The current Metric and BNG Report are not consistent with the Landscape Strategy (which shows the correct detail), therefore, a condition will need to be attached to the application to ensure an updated Biodiversity Metric and BNG Report are submitted that are consistent with the on-site Landscape Plan and also include the details of off-site habitat creation to deliver a net gain.

1.35 A small pond is also being lost as part of the scheme and a SUDs scheme is shown as part of the development proposals. The BNG Report makes note of the importance of this SUDs feature being designed as a pond with some open water, even if the water supply is in part from roof run-off from the development, to ensure that the habitat trading rules are satisfied within the metric (i.e like for like habitat replacement is being provided). The 'Proposed Drainage Layout' (DWG: P22-266-3E-ZZ-XX-DR-C-1000 REV P01) shows this pond as a dry basin and this is also indicated in the Design and Access Statement. In order to satisfy the trading rules of the metric, the SUDs feature on site will need to be designed to hold some permanent open water to replace the pond which has been lost on site. A condition will need to be attached to the application to ensure that these details are submitted to the LPA for approval prior to development commencing on site.

1.36 Impacts on Coastal Designated Sites

1.37 The scheme will result in an increase in residential accommodation which will contribute to adverse impacts on designated sites at the coast through recreational disturbance. The scheme will, therefore, need to comply with the Councils Coastal Mitigation SPD. The SPD provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline.

1.38 Conditions:

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 for on-site and off-site landscape mitigation/compensation shall be submitted to and approved in writing by the Local Planning Authority and shall be in accordance with the approved Biodiversity Metric and Biodiversity Net Gain Report. The landscape scheme shall include a full specification for all new tree, shrub, hedgerow and wildflower planting and their maintenance. The landscaping scheme shall be implemented in accordance with the approved details and to a

standard in accordance with the relevant recommendations of British Standard (4428: 1989). On site landscaping is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Landscaping of the approved off-site compensation land is to be implemented upon commencement of development within the first available planting season by an approved contractor. Any trees, shrubs or wildflower areas that fail or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

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 detailed 30 year 'Management, Maintenance and Monitoring Plan' for all landscaping/habitat creation within the application site and the approved off-site compensation land, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed and paved areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The Plan will include the following:-

- Details on the creation and management of all target habitats identified within the approved Biodiversity Metric, BNG Report and landscape plans for on-site and off-site mitigation/compensation.

- Survey and monitoring details for all target habitats identified within the approved Biodiversity Metric and BNG Report will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report to ensure the habitats are reaching the specified target condition. Any changes to habitat management as part of this review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report.

Prior to development commencing on site, details of a SUDs scheme containing permanent open water shall be submitted to the LPA for approval and shall be implemented in accordance with the approved details.

Prior to development commencing on site, an updated Biodiversity Metric 3.1 and BNG Report shall be submitted to the LPA for approval and shall include details of the off-site compensation at Keegan Park to deliver a biodiversity net gain.

Details of lighting shall be submitted to the LPA for approval in writing within 4 weeks of development commencing on site. Light levels close to foraging/commuting areas such as trees and semi-natural habitats will be low level, below 2m in height, and low lux (below 1 lux 5m from the light source). Warm-light LEDs with low UV will be used, with cowls designed to accurately target which areas are lit. No lighting will be installed within 5m of, or which spills onto, the group of amenity trees to the east of the site, particularly the low suitability tree in the north of the group.

Prior to works commencing on site, a Precautionary Amphibian Working Method Statement will be submitted to the LPA for approval in writing. All works will be undertaken in accordance with the approved details thereafter.

Hedgehog gaps 13cm x 13cm will be provided in fences between gardens and landscaped areas to allow hedgehogs to forage and commute across the site. Details of gaps and their locations shall be provided on a Plan and submitted to the LPA for approval within 4 weeks of development commencing on site.

10no. bird boxes (including a mix of hole, open fronted and sparrow terrace boxes) shall be installed on new houses/buildings within the development and shall be a minimum of 2m from the ground, near foraging habitat and ideally north to east facing. Details of bird 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 shall be installed in accordance with the approved plans on completion of works and permanently retained.

4no. bat boxes and 4no. bird boxes will be provided on suitable trees within the development site. Details of bat and bird 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 on completion of works and permanently retained.

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°.

No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Prior to any ground being broken on site and in connection with the development hereby approved (including demolition/excavation works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations shown and detailed in the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by Elliott Consultancy Ltd, unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance

works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is NOT to be repositioned without the approval of the Local Authority.

All works to be carried out in accordance with the submitted Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement submitted by Elliott Consultancy Ltd and within the guidelines contained within BS5837:2012 – Trees in Relation to Design, Demolition and Construction and NJUG Volume 4. The AMS is to form part of the contractors method statement regarding the proposed construction works. Regular inspections to be undertaken in accordance with section 6.8 of the Arboricultural Method Statement to provide any arboricultural advice necessary and to ensure the efficiency of the Tree Protection measures.

The contractors construction method statement relating to traffic management/site compounds/contractor access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires must be submitted in writing and approved by the Local Planning Authority and include tree protection measures for the trees to be retained. Cabins, storage of plant and materials, parking are not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 Tyne and Wear Archaeology Officer

3.2 I have checked the application site against the Historic Environment Record and historic maps. This was formerly the site of West House Farm (HER17562), a post-medieval farmstead which was demolished in the 1960s and rebuilt as a public house and community room. The public house was recorded in 2017 ahead of its demolition (HER event 4663 report 2017/83). The 20th century redevelopment of the site and the 21st century demolition is likely to have truncated any earlier deposits and structures. The report on the Phase II Geo-environmental Assessment by Hydrock 3E demonstrated the presence of modern made ground across much of the site to depths of between 0.52m and 2.00m.

3.3 I consider that the proposals will not have a significant impact on any known archaeological heritage assets, and no archaeological work is required.

3.4 The Coal Authority

3.5 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.

3.6 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.

3.7 Newcastle International Airport Limited (NIAL)

3.8 The proposal has been assessed by the Aerodrome Safeguarding Team and they have the following comments to make. The proposed landscaping of the site consists of a number of species listed in the hazard species list. Such species are likely to attract additional bird activity to the site. In this case however, given the location of the site and the relatively modest level of landscaping within a medium size development, it is not considered that the hazardous species would lead to any detrimental impact to the aerodrome operations. NIA would not therefore offer any objection to this application.

3.9 Northumbria Police

3.10 Since our prior comment on this matter when out for consultation in January, we have had the opportunity to discuss the proposals with the developers and are content with the current application.

3.11 Northumbrian Water

3.12 In making our response to the LPA Northumbrian Water will assess the impact of the proposed development on our assets and assesses 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.

3.13 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>.

3.14 We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "Swindale Drive Flood Risk and Drainage Impact Assessment". This document reflects our pre-planning enquiry advice identifying foul connections at manhole 2401 or 2305 and a surface water connection to manhole 1302 at a restricted rate of 5l/s.

3.15 We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above named document:

3.16 Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Swindale Drive Flood Risk and Drainage Impact Assessment" dated "7th December 2022". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2401 or 2305 and ensure that surface water discharges to the surface

water sewer at manhole 1302. 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.

3.17 It should be noted that we are not commenting on the quality of the of the Flood Risk Assessment as a whole or the developer's approach to the hierarchy of preference. The council, as the 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. They are not part of any approval process for determining whether the proposed drainage layouts/design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where is it their intention to offer SuDS features for adoption.

3.18 For information only

3.19 We can inform you that a public sewer and a water main crosses the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application. Further information is available at <https://www.nwl.co.uk/services/developers/>

3.20 Natural England

3.21 No objection – subject to appropriate mitigation being secured.

3.22 We consider that without appropriate mitigation the application would:
-Have an adverse effect on the integrity of Northumbria Coast Special Protection Area (SPA) & Ramsar site.

3.23 In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigations options should be secured:

-A contribution to the Coastal Mitigation Scheme for developments outside the 6km buffer zone of £151.00 per residential unit.

3.24 We advised that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

3.25 Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

3.26 Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

3.27 Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

3.28 Natural England offers the following additional advice:

3.29 Landscape

3.30 Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

3.31 Best and most versatile agricultural land and soils

3.32 Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website.

3.33 If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further. Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying *Good Practice Guide for Handling Soils in Mineral Workings*.

3.34 Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

3.35 Protected Species

3.36 Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

3.37 Local sites and priority habitats and species

3.38 You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

3.39 Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on Gov.uk.

3.40 Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

3.41 Ancient woodland, ancient and veteran trees

3.42 You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

3.43 Environmental gains

3.44 Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where

onsite measures are not possible, you should consider off site measures.

Opportunities for enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

3.45 Natural England's Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.1 and is designed for use where certain criteria are met. It is available as a beta test version.

3.46 Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.1 and is available as a beta test version.

3.47 Green Infrastructure

3.48 Natural England's Green Infrastructure Framework provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI) . GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

3.49 Development should be designed to meet the 15 Green Infrastructure Principles. The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

3.50 GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

3.51 Access and Recreation

3.52 Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be

explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

3.53 Rights of Way, Access land, Coastal access and National Trails

3.54 Paragraphs 100 and 174 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

3.55 Biodiversity duty

3.56 Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

3.57 The Northumberland and Newcastle Society (N&N)

3.58 The Northumberland and Newcastle Society (N&N) supports grant of planning approval for this application subject to the comments below.

3.59 The proposed plans for an infill of much needed social housing in Killingworth makes good use of a currently unused brownfield site. Although the designs are a little bland, they are however, in keeping with many of the properties in the immediate vicinity. It is pleasing to see the use of photovoltaics incorporated into the actual roof structures rather than having to be retro-fitted to a tile or slate roof at a later date. With the addition of air source heat pumps in the proposed specification, these installations will assist the council in reaching their ambitious targets for carbon zero in the borough by 2030.

3.60 With a focus on environmental issues, the use of permeable paving, installation of a water attenuation system and a sustainable urban drainage system, is to be applauded, however we would like to see at least one tree or sizable shrub planted in all the front gardens facing the estate road. North Tyneside council has for some time been encouraging all residents to plant trees, so it would be an ideal opportunity to include this measure as part of the conditions of approval.

3.61 Locating house bin stores next to windows seems odd and could be better placed at the rear of the properties. If no side access from rear gardens is available to the front where refuse / recycling collections are made a better solution is provision of neat stores at the front. This is evident locally for people faced with this problem resulting in an inconsistent approach to the quality and security of refuse and recycling material.

The high fencing at the rear could also be improve possibly with a mix of brick walling and timber which would probably be more durable. Minor issues apart, we feel that this is a good scheme and would support the application.

