

Item No: 1
Application No: 21/02546/FUL Author: Maxine Ingram
Date valid: 11 February 2022 ☎: 0191 643 6322
Target 13 May 2022 Ward: Benton
decision date:

Application type: full planning application

Location: Site Of The Fusilier, Clydedale Avenue, Forest Hall, NEWCASTLE UPON TYNE

Proposal: Residential development of 20no. affordable homes and associated landscape (amended plans received 21.12.2022)

Applicant: Karbon Homes

Agent: BSBA Architects

RECOMMENDATION: Minded to grant legal agreement req.

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 of 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 relates to the site of the former Fusilier Public House in Forest Hall. The total site area is approximately 0.44 hectares (ha). The most western part of the site is designated as open space in the Local Plan (LP) and measures approximately 0.21ha. The site is designated as a wildlife corridor.

2.2 The site is bounded to the north by the residential properties of Clydedale Avenue and Allandale Avenue. To the east it is bound by Connaught Gardens and Albany Avenue. Immediately to the south and west of the site is open space, including the Benton Village Green.

2.3 Members are advised that vegetation has been cleared from the site. These works did not require planning permission.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the construction of 20 residential units consisting of 12no. 3 bed dwellings and 8no. 2 bed apartments with associated parking, landscaping and drainage.

3.2 The proposed housing will be two storeys and it will be sited along the southern boundary overlooking the Village Green. To the north side of the housing are gardens and parking provision. The gardens will accommodate refuse and cycle storage. The proposed apartments will be accommodated in two blocks: one sited in the northeast corner of the site and one sited in the northwest corner of the site. The apartments will be two storeys. Parking and gardens accommodating refuse and cycle storage are proposed adjacent to the apartments.

3.3 Vehicular access to the site will be from Victoria Avenue. It will be sited in the southeast corner of the site. No vehicular access will be provided from Clydedale Avenue. Pedestrian access is provided within the site.

3.4 A drainage feature is sited adjacent to the northern boundary.

4.0 Relevant Planning History

18/01739/DEMGDO - Demolition of The Fusilier Public House – Permitted
08.01.2019

19/00108/FUL - Residential development offers a choice of 32 no. apartment homes for persons with cerebral palsy, communication impairments, sensory impairments and complex learning, social care and therapeutic needs. Accommodation is arranged across four separate, domestic-scale, group-living buildings of two-storeys, each with upper floor lift access and associated Landscape (amended plans received 20.05.2019) – Withdrawn 29.09.2021

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 of 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 Local Planning Authority (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 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.”*

8.9 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”*.

8.10 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.

8.11 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.

8.12 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 considering flood risk, impact on amenity, impact on existing infrastructure and making the most effective and efficient use of land.

8.13 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.

8.14 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.

8.15 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...."

8.16 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.

8.17 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.

8.18 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.

8.19 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.

8.20 The Council's Green Space Strategy 2015 (GSS) identifies a range of green spaces. Policy DM5.3 states that new development should sustain the current standards of provision, quality and value as recorded in the most up-to-date Green Space Strategy. It is acknowledged that the GSS has not been updated since 2015, and the Local Plan came into force in 2017.

8.21 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.

8.22 Objections have been received regarding the loss of open space. The content of these is noted.

8.23 Part of the application site, western part, is designated as open space. The designated open space is approximately 0.21ha. The remainder of the site is not designated for any purpose in the LP. The GSS defines this area of land as being of unlimited access and denoted "Amber" in value/quality. To clarify this area of land was assessed as an integral part of the green corridor that extends from Hailsham Avenue to Victoria Avenue. The site is assessed as poor quality/medium value. A review of available imagery suggests that the grassed area included in this planning application was an integral area of mowed grass at least as recently as 2012. The area to the west, south of Clydedale Avenue was excluded from the Open Space Strategy as it was bounded by a fence and not formally accessible. The analysis undertaken for the GSS gives regard to the function of land and its accessibility rather than its ownership. If the land was freely accessible it would have been assessed as such.

8.24 The submitted Open Space Assessment enables consideration of impact on open space provision as it exists today. This assessment has considered the NPPF, LP Policies DM5.2 and DM5.3 and the Green Space Strategy (GSS) (2015). This assessment advises the following:

- The site is private land and there are no formal access arrangements through the western portion, the former beer garden.
- The site will maintain a pedestrian/cycle route through the site.
- The site is not a designated wildlife site.
- Several recommendations are set out in the submitted Ecological Appraisal and net gain will be achieved.
- The GSS advises there are 35 greenspaces totalling 65.80 hectares (ha) in area in the Benton Ward. The western portion of the site measures approximately 0.21ha. This would result in a reduction of greenspace in the Ward to 65.59ha. A loss of 0.003% of the Ward's designated greenspace.
- The GSS finds 98.1% of properties in the Ward are within 300m of accessible greenspace. This assessment acknowledges that this could result in a small number of properties being further from designated open space a distance of a further 50m.
- Open space provision is not proposed as part of the development. A financial contribution is proposed to enhance other open space to mitigate for the loss of the open space. The assessment considers that existing lower quality/lower value open spaces could be improved.

8.25 The proposed development does not fully accord with Policy DM5.2 which sets out that existing green infrastructure and open space should be protected from development. The policy goes onto identify four exceptions where specific site circumstances may enable development. These are set out in full in paragraph 8.17. The policy only requires one of the above exceptions to apply. At the time of submission only part of the application site was enclosed, and the site could be accessed from Clydedale Avenue and its southeast corner. The site does not have a specific community role beyond its landscape character and contribution as an area of undeveloped land. The site is not a designated wildlife site. It is noted that, as an area of greenfield land, it would have some biodiversity value that must be appropriately addressed. In the context of DM5.2 the site is not understood to be of "important biodiversity value" but adequate mitigation and provision of net gain, clearly would be required in accordance with DM5.5. Based on the figures provided by the applicant the proposal has a minimum impact upon the overall supply of open space within the area. When considered against current Green Space mapping its loss would mean a small number of properties would be placed more than 300m from an area of accessible green space – the inclusion of currently undesignated green space to the west is likely to mean there is no impact on accessibility for existing homes. DM5.2 (d) does not apply, the development is for new homes and is not ancillary to the use of green infrastructure. Considering the above this proposed development could be considered an exception on the basis of points b and c.

8.26 Policy DM5.2 further sets out that where an exception does apply, planning permission would be granted "where alternative provision, equivalent to or better than in terms of its quantity and quality, can be provided". Paragraph 99 of the NPPF also requires alternative provision to be, "equivalent to or better than in

terms of its quantity and quality”. It is noted that this proposal cannot provide alternative provision to be equivalent or better in terms of quantity. It is proposed to improve the quality of an existing area of open space creating a better environment for its users. A parcel of land within Council ownership has been identified. A financial contribution is proposed to secure the delivery of planting enhancements which will improve the quality of this open space. Building on a site that is part brownfield and securing enhancements to an existing open space to improve its quality is considered to be satisfactory mitigation. The proposed development does not encroach onto the Benton Village Green.

8.27 The Council’s Biodiversity Officer and Landscape Architect have provided detailed comments which include concerns regarding the loss of designated open space. These concerns are noted. The biodiversity impacts are considered further in Section 13 of this report.

8.28 The application site is not an allocated housing site, and it does not fully comply with LP policies, as set out above, and thus policy DM4.5(g) in that it cannot be demonstrated that the proposals accord with the policies in the LP. Housing developments in locations with a housing shortfall should benefit from the presumption in favour unless there are significant and demonstrable adverse impacts (NPPF paragraph 11 (d)). Members are advised that 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.

8.29 Members need to determine whether the principle of development is acceptable. Currently the Council do not have sufficient planning permissions for housing development to meet the housing requirements derived from the LP 2017 for the next five years. This development would involve the provision of 20 dwellings that are confirmed to be affordable homes, delivered by a registered provider. The delivery of such housing consequently has the potential to make an important contribution to meeting the evidence-based housing needs of residents of North Tyneside. Taking account, the current role of the site, its development would not be a fundamental departure from LP policy if appropriate off-site mitigation can be secured that delivers additional benefits for landscape quality, biodiversity and recreation.

8.30 It is officer advice, subject to all other matters set out below being addressed, that the adverse impacts which would result from the proposed development will not significantly and demonstrably outweigh its benefits. As such, planning permission should be granted.

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 onto 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 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."

10.8 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.

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

10.10 Objections have been received regarding the development being out of keeping with the immediate surrounding area and overdevelopment of a small site. The content of these is noted.

10.11 The proposed housing fronts onto an existing open space, the Benton Village Green, creating an attractive development edge. The frontage of the

scheme is well designed with a varied building line roofscape. The initial design comments raised concerns regarding the rear elevations of units 1-12. The applicant has amended the rear elevations of these units. The design comments advise that the rear elevations of these units have been improved with further detailing and a variation of window sizes and materials which contribute towards a well-designed development.

10.12 The proposed apartment blocks are sited in the northeast and northwest corners of the site. Units 13-16 will be located to the south of No. 3 Allandale Avenue. Units 17-20 will be located to the south of No. 2 Clydedale Avenue. Entrances to these units are proposed on their east and west elevations creating an outward facing development that overlooks gardens and parking.

10.13 The immediate surrounding area is characterised by a variety of property types including bungalows and two storey properties. Therefore, the proposed two storey units are considered to be in keeping with the character and appearance of the immediate surrounding area.

10.14 Soft landscaping is proposed throughout the site and the drainage feature will also be planted.

10.15 Boundary treatments have been revised and there are now no longer large sections of timber fencing to the rear of units 1-12. The existing timber fence to the eastern boundary is to be retained and repaired. The existing southern boundary treatments serving Nos. 1 and 2 Clydedale Avenue and No. 3 Allandale Avenue will be retained. It is proposed to install a 1.8m high timber fence with 0.3m high trellis fencing above adjacent to the existing boundary treatment between the rear of No. 1 Clydedale Avenue and No. 3 Allandale and from the rear of No. 2 Clydedale Avenue extending around the northeast corner of the site to the rear of No. 11 Albany Avenue. The boundary treatment to the southern and west boundary will be a 1.0m high post and wire fence.

10.16 Conditions to secure materials of construction, hard surfacing and design of cycle storage are suggested to ensure that appropriate final details are secured.

10.17 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 taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should

amongst other matters; mitigate and reduce to a minimum potential adverse 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.

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

11.4 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.

11.5 LP Policy DM6.1 'Design of Development' 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.

11.6 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.

11.7 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.

11.8 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.

11.9 Objections have been received regarding the impacts on residential amenity. The content of these is noted.

11.10 The Manager for Environmental Health has been consulted. She has noted that the site is located near to Longbenton High School approximately 100 metres to the west of the site. This has raised concerns about potential noise from any external plant in use at the school, from associated noise from the car park and noise from use of any external play areas at the school. She has advised that a noise scheme will be required to ensure suitable sound attenuation measures are taken to mitigate any external noise. The required noise scheme can be secured by condition.

11.11 Additional 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.

11.12 Units 1-7 will be located over 35m to the north of Nos. 1-4 Colston Place. Due to the separation distance that will exist, it is not considered that these units will significantly affect the residential amenity of these neighbouring properties in terms of loss of light, outlook or privacy.

11.13 Unit 1 will be located approximately 15m from the western boundary serving No. 14 Connaught Gardens. Based on the plans provided, it will not project beyond the front or rear building line of this neighbouring property. It is noted that there are three windows sited in the west gable of this neighbouring property: one at ground floor and two at first floor. The amenity of this existing ground floor window is already impacted by the existing boundary treatment. 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.

11.14 Units 13-16 will be located to the south of No. 3 Allandale Avenue. Based on the plans provided, these units will project approximately 1.5m beyond the front of this neighbouring property and approximately 2m beyond its rear. They will be sited approximately 1.5m from this shared boundary. There are no windows sited in the north elevation of these units. Obscure views over the rear garden serving this neighbouring property will be afforded from the windows sited in the east elevation of the first-floor units. The hipped roof will pull away from this shared boundary. It is noted that the garage serving this neighbouring property is sited adjacent to this shared boundary. There are no habitable windows sited in its gable elevation. Due to the orientation of these units a degree of overshadowing to part of the garden serving this neighbouring property will occur in the morning and afternoon. It is the view of the case officer that this impact is minimal and will not be so significant as to warrant a recommendation of refusal. It is not considered that these units will significantly affect the residential amenity of this neighbouring property in terms of loss of light, outlook or privacy.

11.15 Units 17-20 will be located to the south of No. 2 Clydedale Avenue. Based on the plans provided, these units will project marginally beyond the front of this neighbouring property and approximately 4m beyond its rear. They will be sited approximately 1.8m from this shared boundary. There are no windows sited in the north elevation of these units. Obscure views over the rear garden serving this neighbouring property will be afforded from the windows sited in the east elevation of the first-floor units. The hipped roof will pull away from this shared boundary. It is noted that this property has a single storey extension to the side sited adjacent to this shared boundary. This extension serves a habitable room. There are no windows sited in the flank elevation of this extension. It is also noted that this neighbouring property has two first floor windows sited in its gable. Due to the orientation of these units a degree of overshadowing to part of the garden serving this neighbouring property will occur in the afternoon. It is the view of the case officer that this impact is minimal and will not be so significant as to warrant a recommendation of refusal. It is not considered that these units will

significantly affect the residential amenity of this neighbouring property in terms of loss of light, outlook or privacy.

11.16 Units 19 and 20 will be located to the west of No. 11 Albany Avenue. They will be sited approximately 11m from this shared boundary and approximately 13m from this neighbour's gable. It is noted that there are two windows in this neighbour's gable at first floor. Due to the orientation of these units, the separation distances that will exist and the positioning of the windows, it is not considered that the residential amenity of this neighbouring property will be significantly affected in terms of loss of light, outlook or privacy will be sufficient to sustain a recommendation of refusal.

11.17 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. All units will be in accordance with the Government's Nationally Described Space Standards (NDDS).

11.18 The parking proposed to the eastern side of the vehicular access will be sited away from the shared boundary with No. 14 Connaught Gardens. An area of landscaping is proposed between the parking and the existing timber fence. It is not considered that the location of this parking will significantly affect the residential amenity of this neighbouring property.

11.19 The proposed drainage feature and two visitor parking bays are proposed to the south of No. 1 Clydedale Avenue. It is not considered that the proposed drainage or parking will significantly affect the residential amenity of this neighbouring property.

11.20 It is not considered that the first-floor windows sited in units 15 or 16 will significantly affect the privacy of No. 1 Clydedale Avenue.

11.21 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 taken into account 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 Significant objection on highway grounds has been submitted, including the impact on the highway network, inadequate vehicular access particularly during construction and for delivery vehicles post construction and pedestrian safety. The detailed content of these is noted.

12.8 Members are advised that the application was originally submitted with the vehicular access proposed from Clydedale Avenue to the north of the site. During the application the applicant has amended the vehicular access from the south via Victoria Avenue. It is clear from the objections that residents oppose the vehicular access from the north and south. Members are advised that the Local Highway Authority (LHA) did not request the applicant to amend the location of the vehicular access. The LHA has assessed this application as submitted with the vehicular access from the south.

12.9 A Transport Statement (TS) has been submitted as part of the planning application.

12.10 The Highways Network Manager has reviewed the TS and the submitted plans. As already discussed, vehicles will access the site from Victoria Avenue to the south. Pedestrian access through the site is provided. Parking will be provided in accordance with current standards and an area suitable for the turning of a refuse vehicle will be laid out. Cycle parking is being provided and the site has reasonable links with public transport.

12.11 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, would mitigate the impacts of this development.

12.12 The Sustainable Transport comments have confirmed that a Travel Plan (TP) is not required due to the size of the site. The comments have put forward recommendations regarding dropped kerbs to allow smooth transitions between the carriageway and footway, cycle signage, and providing a new footway between the PRow and existing footway of Clydedale Avenue. These

recommendations are noted, and some can be attached as informatives. It is the view of officers that sufficient connections for pedestrians and cyclists are provided through the site from Victoria Avenue to Clydedale Avenue.

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

13.6 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.

13.7 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.

13.8 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.

13.9 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.

13.10 Objections have been received in respect of the impact on the wildlife corridor. The content of these is noted.

13.11 The Northumberland Wildlife Trust has reviewed the information and they have not raised any objections to the proposed development, subject to conditions.

13.12 Natural England have been consulted. They are satisfied that, subject to the coastal mitigation contribution being secured, there will be no damage or disturbance to the coastal areas.

13.13 The applicant has agreed to pay the coastal mitigation contribution. This financial contribution will be secured via a S106 Agreement.

13.14 Members are advised that site clearance works, including vegetation removal, have commenced on-site. These works do not require planning permission. Prior to these works the site contained few landscape elements. These are described in greater detail in the Landscape Architect and Biodiversity Officer's comments set out in the Appendix to this report.

13.15 The Landscape Architect and Biodiversity Officer have considered the additional information submitted.

13.16 The submitted Ecological Appraisal advises that the site is of local value to urban breeding bird species that may nest in hedgerow and shrub habitats in low numbers and to hedgehog which may forage over the site on occasion. No other protected or priority species are likely to be affected by the proposals. The proposed development is not predicted to have any impacts on statutory or non-statutory designated sites.

13.17 The Ecological Appraisal sets out the impacts of the proposed development which are set out in greater detail in the Appendix to this report. It proposes several mitigation measures to address the impacts of this development including bird and bat boxes, landscaping, lighting that minimises light spill and measures to ensure protected/priority species will not be impacted

as a result of the works. These measures can be conditioned as part of the application.

13.18 The Biodiversity Net Gain (BNG) Assessment/Metric Calculation confirms that existing habitat within the site and all native hedgerows around the site boundaries will be lost to accommodate this development. Post-development, the on-site landscaping will consist mainly of vegetated gardens with very small areas of modified grassland and mixed native scrub habitat. A bioswale is proposed which will be sown with wildflower meadow mix and 30no. medium sized urban trees are provided outside of private gardens. This will result in a BNG which is largely being achieved through the planting of urban trees within the site. Hedgerow creation proposed as part of the scheme will result in further BNG. The submitted landscape plan sets out the areas where habitats identified as part of the BNG Assessment will be delivered. The consultees have suggested conditions to secure a fully detailed Landscape Plan and 'Landscape and Ecology Management & Monitoring Plan' (LEMMP) to ensure the habitats set out on the landscape plan, deliver the required BNG.

13.19 The Arboricultural Impact Assessment (AIA) advises that all vegetation on-site is low quality, and it will be necessary to remove all trees and hedgerows to facilitate this development. The proposed plans indicate a comprehensive planting scheme which will complement the proposed development and include the replacement of hedgerows and trees which will enhance the development site and improve visual amenity.

13.20 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity, the wildlife corridor, and landscaping. It is officer advice that the proposal will not cause unacceptable harm to biodiversity interests. Officers do not consider that the proposal will conflict with Policies S5.4, DM5.5 and DM5.7 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. 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 Objections have been received in respect of inadequate drainage. The content of these is noted.

14.7 A Flood Risk Assessment (FRA) and Drainage Strategy has been submitted as part of the application.

14.8 The Lead Local Flood Authority (LLFA) has reviewed the application documents. It is proposed to provide surface water attenuation within the site for up to a 1 in 100 year rainfall event plus 40% allocation for climate change. The rate of surface water leaving the site will be restricted to the equivalent greenfield run-off rates. The attenuation will be achieved via the use of permeable paved driveways and an attenuation basin with a flow control device fitted on the outlet and 75mm orifice plate to restrict the surface water discharge rate to 2.7 litres/second before it enters Northumbrian Waters surface water sewer network which in turn connects to a culverted watercourse. The applicant has advised that the maintenance of the suds features, and associated drainage will be their responsibility or an appointed contractor. Subject to imposing the suggested conditions, it is considered that surface water can be appropriately mitigated for.

14.9 Northumbrian Water have raised no objections subject to imposing a condition to ensure the development is carried out in strict accordance with the submitted FRA. They have advised that the submitted FRA reflects their pre-planning enquiry advice identifying that foul flows and surface water flows will discharge to the existing public surface water sewer.

14.10 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.

14.11 Ground conditions

14.12 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.

14.13 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.

14.14 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.

14.15 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.

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

14.17 A Phase 1 Desk Study and Coal Mining Risk Assessment and a Phase 2 Site Investigation Report have been submitted as part of the application.

14.18 The Contaminated Land Officer has reviewed the submitted reports and has raised no objections to the proposed development, subject to conditions.

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 Within the submitted Design and Access Statement the applicant has advised that the proposed development has been designed with a ‘fabric first’ approach. The properties will also be installed with solar panels to encourage use of renewable energy.

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 considered the submitted Bird Strike Risk Assessment which advised that due to the scale of the proposed landscaping, the location of the site, and the percentage cover of native hedging, the species mix is considered appropriate and would not detriment the safe operation of the airport. The Airport has advised that they are satisfied that this proposal would not lead to an inappropriate rise in bird activity which would potentially harm the safe operation of the airport.

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 The applicant has confirmed that they are agreeable to the following financial contributions and off-site mitigation requested by service areas:

- Benton Village Green/Local Wildlife Site 3, 900.00 pounds.
- Children's equipped play 7, 000.00 pounds.
- Parks and greenspaces 10, 647.00 pounds.
- Primary education 50, 000.00 pounds.
- Employment and training 1 apprenticeship or 10,000.00 pounds.
- Coastal Mitigation 3, 020.00 pounds.
- Open space improvements 18, 138.00 pounds.

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

15.10 Members are advised that this proposal will deliver 100% affordable housing provision.

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 (CIL).

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 The site is part brownfield and part designated as open space in the LP. Members need to consider whether the loss of open space is acceptable. It is officer advice that it is acceptable.

17.4 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.

17.5 Members need to consider whether the amount of development, type of development, 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.

17.6 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.

17.7 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.

17.8 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 a legal agreement to secure coastal mitigation and conditions to secure on-site mitigation the proposal would provide biodiversity net gain, which is encouraged by NPPF, and secure appropriate mitigation. The development will not significantly impact on biodiversity or significantly impact on the wildlife corridor. It is officer advice that is acceptable.

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

17.11 The applicant has agreed to provide planning obligations in accordance with what the Council is seeking, and this proposal will deliver 100% affordable housing provision which weighs in favour of this proposal.

17.12 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 officers, 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 a S106 Legal Agreement and conditions.

RECOMMENDATION: Minded to grant legal agreement req.

It is recommended that:

a) the Committee indicates that it is minded to grant the application; and the Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:

b) the conditions set out in the planning officers report; the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development; and,

c) completion of a legal agreement to secure 100% affordable housing provision and a financial contribution for the following:

-Benton Village Green/Local Wildlife Site 3, 900.00 pounds.

-Children's equipped play 7, 000.00 pounds.

-Parks and greenspaces 10, 647.00 pounds.

-Primary education 50, 000.00 pounds.

-Employment and training 1 apprenticeship or 10,000.00 pounds.

-Coastal Mitigation 3, 020.00 pounds.

-Open space improvements 18, 138.00 pounds.

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. 20005 L01 A

Existing site Dwg No. 832/E1

Dwg No. 20005 P01R Site plan 01

Dwg No. 20005 P20C Roof plan

Dwg No. 20005 P11C Plots 13-30 proposed elevations

Dwg No. 20005 P10B Plots 1-12 proposed elevations

Dwg No. 20005 P04A GA plans plots 13-20

Dwg No. 20005 P03 GA plans plots 1-12

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 existing roadway shown to be improved on drawing number 2005 P01R Site plan 01, shall be laid out in accordance with drawing number 2005 P01R Site plan 01, prior to any part of the development hereby approved being occupied and permanently retained and maintained thereafter.

Reason: In the interest of securing access to the site from the south and 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 shall be provided and laid out in accordance with the approved plan Ref: Dwg No. 20005 P01R Site plan 01. These parking areas shall not be used for any other purpose and shall be permanently 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 Condition 1, prior to the occupation of any dwelling/flat/apartment hereby approved details of undercover cycle storage provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be implemented prior to the occupation of each dwelling/flat/apartment hereby approved. 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 policies DM6.1 and DM7.4 of the North Tyneside Local Plan (2017).

6. Notwithstanding Condition 1, prior to the occupation of any dwelling/flat/apartment hereby approved details of storage provision and enclosure details, for refuse, recycling and garden waste, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be implemented prior to the occupation of each dwelling/flat/apartment hereby approved. 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 policies DM6.1 and DM7.4 of the North Tyneside Local Plan (2017).

7. Notwithstanding Condition 1, no part of the development hereby approved shall be occupied until the scheme for traffic calming to 20mph including a timescale for its implementation has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented 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 part of the development hereby approved shall be occupied until details of a parking management scheme to prevent

vehicles associated with school drop off and pick up has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

9. 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.

10. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a detailed drainage plan for the development including plans showing the drainage basin design, long sections and cross sections through the basin, and details of the appointed drainage management company, to manage the drainage 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.

11. If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority within 24 hours. Work must be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters. If required remediation of any unexpected contamination or underground storage tanks discovered during the development must take place before development

recommences. Thereafter the development shall not be implemented otherwise than in accordance with the scheme approved under the planning consent.

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

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

12. 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.

13. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment Revision C " dated "August 2022". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6402 and ensure that surface water discharges to the surface water sewer at manhole 5503. The surface water discharge rate shall not exceed the available capacity of 2.7l/sec that has been identified in this sewer.

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

14. Notwithstanding Condition 1, prior to the construction of any part of the residential 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).

15. 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).

16. 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).

17. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level a noise scheme to address noise from Benton Dene Primary School and Longbenton High School shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall provide details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233:2014 and the World Health Organisation community noise guidelines.

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.

18. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of a ventilation scheme to ensure an appropriate standard of ventilation, with windows closed, shall be submitted to and approved in writing by the Local Planning Authority. Where the internal noise levels specified in BS8233 are not achievable, with window open, due to the external noise environment, an alternative mechanical ventilation system must be installed, equivalent to System 4 of Approved Document F, such as mechanical heat recovery (MVHR) system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

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.

19. No development shall take place until plans of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings has been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

20. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a revised Aboricultural Impact Assessment (AIA) shall be submitted to and approved in writing by the Local Planning Authority. The AIA is to be produced in accordance with BS 5837:2012.

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).

21. 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 shall be submitted to and approved in writing by the Local Planning Authority and shall be in accordance with the details provided within the Biodiversity Metric 3.1 and BNG Assessment Report (E3 Ecology R06 Feb/March 2023). The landscape scheme shall include a detailed specification and proposed timing of all new tree, shrub, hedgerow and wildflower planting. All new standard trees are to be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. Any revisions to the landscape plan are to be submitted and approved by the local authority.

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, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for on-site landscaping as set out in the Biodiversity Metric 3.1 and BNG Report (E3 Ecology R06 Feb/March 2023) and an approved Landscape Plan, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of site preparation, long-term design objectives, management and monitoring objectives, management responsibilities, timescales and maintenance schedules for all newly created and enhanced habitats within the site. 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 details of the following:

- Details on the creation, enhancement and management of all habitats identified within the Biodiversity Net Gain Report/Biodiversity Metric (E3 Ecology R06 Feb/March 2023) and how the condition criteria will be met through management;

- Survey and monitoring details for all for all target habitats identified within the Net Gain Assessment Report/Biodiversity Metric. Monitoring Reports will be submitted to the Local Planning Authority 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 Local Planning Authority. The Plan will be reviewed every 5 years in partnership with the Local Planning Authority;

-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/Biodiversity Metric.

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 5no. bat features (e.g. bat brick, tile, bat box) and 5no. integrated bird features to be provided in the buildings hereby approved, including specifications and locations 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).

24. Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. High intensity security lights will be avoided as far as practical and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. This shall include the following information:

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

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

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

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

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

26. 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).

27. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. These details shall include hedgehog gaps (13x13cm) shall be provided within any new boundary fencing to allow the movement of wildlife through the site. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development, and to ensure protected species are adequately protected having regard to policies DM6.1 and DM5.7 of the North Tyneside Local Plan (2017).

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

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

The applicant is advised that a license must be obtained from the Highways Authority before any works are carried out 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 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 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 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 and 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.

The Sustainable Transport Team Leader has made the following recommendations: -The new realigned pedestrian/cycle route between the site and Clydedale Avenue must have appropriate dropped kerbs at each end to allow a smooth transition between the carriageway and footway. Bollards must be positioned appropriately within a minimum spacing of 1.5m to allow users to approach in a straight line. -Cycle signage to TSRGD 967 should be erected on a

lamp column or individual posts within the development to highlight the presence of cyclists within the site.

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

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



Application reference: 21/02546/FUL
Location: Site Of The Fusilier, Clydedale Avenue, Forest Hall
Proposal: Residential development of 20no. affordable homes and associated landscape (amended plans received 21.12.2022)

Not to scale
 Date: 01.06.2023

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**Appendix 1 – 21/02546/FUL
Item 1**

Consultations/representations

1.0 Internal Consultees

1.1 Design

1.2 Following comments dated 25th March 2022, which raised concerns, further information has been submitted. The rear elevations of units 1 – 12 have been improved with further detailing and a variation of window sizes and materials which now contribute towards a well-designed development. Boundary treatments have been revised and there are now no longer large sections of timber fencing.

1.3 Overall, the revised plans address the previous concerns, and the design and layout of the proposal is acceptable, subject to the recommended conditions below.

1.4 Suggested Conditions:

Materials of construction

Hard surfacing

Landscape works implementation

Design of cycle storage

1.5 Highways Network Manager

1.6 The site will be accessed from Victoria Avenue to the south with pedestrian access through the site to Clydedale Avenue. Parking will be provided in accordance with current standards and an area suitable for the turning of a refuse vehicle will be laid out. Cycle parking is being provided and the site has reasonable links with public transport. Conditional approval is recommended.

1.7 Recommendation - Conditional Approval

1.8 Conditions:

Notwithstanding the details submitted, the new means of access shall be laid 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 the details submitted, the scheme for parking shall be laid 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 the details submitted, the scheme for cycle storage shall be laid 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 the details submitted, the scheme for refuse storage shall be laid 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).

No part of the development shall be occupied until a scheme for traffic calming to 20mph has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

No part of the development shall be occupied until details of a parking management scheme to prevent vehicles associated with school drop off and pick up has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowzers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre-development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

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

Reason: This information is required pre development to ensure that the 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.

1.9 Informatives:

The applicant is advised that a license must be obtained from the Highways Authority before any works are carried out 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 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 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 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 and 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 and 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.

1.10 Sustainable Transport

1.11 This is a resubmission of a full application for a residential development of 20no affordable homes and associated landscape. As part of the application, a Transport Statement (TS) was submitted that covered sustainable modes of transport to and from the site. The developer was advised in their initial submission that a Travel Plan (TP) was not required due to the size of the site.

The new site layout proposes the main access from Victoria Avenue instead of Clydedale Avenue and it includes improvements to the footways within the site.

1.12 We do not propose any conditions for the development but recommend the following matters are taken into consideration:

Recommendation 1: The new realigned PRow between the site and Clydedale Avenue must have appropriate dropped kerbs at each end to allow a smooth transition between the carriageway and footway. Bollards must be positioned appropriately within a minimum spacing of 1.5m to allow users to approach in a straight line.

Recommendation 2: Cycle signage to TSRGD 967 should be erected on a lamp column or individual posts within the development to highlight the presence of cyclists within the site.

Recommendation 3: Plots 17 and 18 of the development sever the eastern footway of Clydedale Avenue. It is recommended that the bin storage and hedge line of plots 17 and 18 is amended to provide a new footway between the PRow and existing footway on the eastern side of Clydedale Avenue. The footway width should not be less than the existing width on Clydedale Avenue.

1.13 Manager for Environmental Health (Contaminated Land)

1.14 The Phase 2 report has shown no contamination on site however the report also states that:

There is always the possibility, along with other contamination, that undiscovered asbestos exists between sample locations and the possibility of unknown asbestos exists on all sites, particularly brownfield sites where previous buildings have been demolished, where there were previous features that were infilled (old hollows, pits etc) or where significant quantities of materials such as demolition and brick rubble exist. It is not uncommon for historical asbestos wastes to be deliberately buried on derelict sites, or imported old demolition rubble which could contain asbestos to be imported for use as hardstanding/hardcore.

1.15 As there is the potential for unexpected contamination Con 007 must be applied.

1.16 Manager for Environmental Health (Pollution)

1.17 I note the site is located adjacent to Longbenton high School some 100 metres to the west of the site. I would be concerned about potential noise from any external plant in use at the school, from associated noise from the car park and noise from use of any external playing areas at the school. A noise scheme will be required to ensure suitable sound attenuation measures are taken to mitigate any external noise.

1.18 Conditions:

Prior to development submit and implement on approval of the Local Planning Authority a noise scheme to address noise from Longbenton High School providing details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal

equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233:2014 and the World Health Organisation community noise guidelines.

Prior to occupation, submit details of the ventilation scheme for approval in writing and thereafter implemented to ensure an appropriate standard of ventilation, with windows closed, is provided. Where the internal noise levels specified in BS8233 are not achievable, with window open, due to the external noise environment, an alternative mechanical ventilation system must be installed, equivalent to System 4 of Approved Document F, such as mechanical heat recovery (MVHR) system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

HOU04
SIT03

1.19 Lead Local Flood Authority (LLFA)

1.20 I have evaluated the flood risk and carried out a review of the surface water drainage proposals put forward as part of planning application 21/02546/FUL, I can confirm in principle I have no objections to the proposals as the applicant will be providing surface water attenuation within the site for up to a 1in100yr rainfall event + a 40% allocation for climate change and will be restricting the rate of surface water leaving the site to the equivalent greenfield run-off rates. The attenuation will be achieved via the use of permeable paved driveways and an attenuation basin with a flow control device fitted on the outlet and 75mm orifice plate to restrict the surface water discharge rate to 2.7l/s before it enters Northumbrian Water's surface water sewer network which in turn connects to a culverted watercourse. The applicant has also indicated the maintenance of the suds features and associated drainage infrastructure will be the responsibility of Karbon Homes or an appointed contractor.

1.21 I will require a condition to be placed on the application requiring the detailed drainage plans for the development and also plans showing the suds basin design including a long-section and cross sections through suds basin. These will need to be submitted to LLFA for approval prior to commencement of the development.

1.22 Landscape Architect and Biodiversity Officer

1.23 Existing Site Context

1.24 The proposed application comprises of land associated with the former Fusilier (PH). The site is nominally flat across its associated surface horizon, with a slight fall to open land in the west. The site is bordered by established residential development to the north and east, and open-aspect grassed communal land to the south and west some of which is known as Benton Village Green. Both pedestrian and vehicle access is provided into the existing site from the south and north respectively via Victoria Avenue and Clydedale Avenue, as well as informal pedestrian access from the north, west and south.

1.25 The topography of the combined site is generally flat and contains few landscape elements, with some areas of self-seeded trees and shrubs along the northern perimeter of the site, adjacent to the access point from Clydedale Avenue. There are scattered, solitary and isolated groupings of hedgerow, shrub and associated lower scrub elements bordering the grassed areas along the western and southern (proposed) perimeter site areas. A range of mixed-species hedgerows and solitary landscape elements, have formed along the collective rear garden areas of associated residential properties, bordering the northern and eastern perimeters and the western half of the proposed development site also contains a large area of poor semi-improved grassland habitat.

1.26 This application is for a residential development for 20no. residential dwellings and associated infrastructure. The land to the west of the proposed site (approx. 0.2ha) is designated as open space (Policy DM5.3) and located within a wildlife corridor as defined by the North Tyneside Local Plan (Policy DM5.7).

1.27 The following additional information has been submitted in response to previous comments:

Updated Open Space Assessment (Ward Hadaway March 2023)
Updated Biodiversity Metric (Rev 6 March 2023)
Updated BNG Assessment (R06 E3 Ecology Feb 2023)
Landscape Plan (DWG No: 832/LA3B Rev B 16/01/23)

1.28 Ecological Appraisal

1.29 An ecological appraisal was undertaken in 2018 and subsequently updated in 2021 by which time the pub buildings had been demolished. The Appraisal indicates habitats on site that include hard standing, bare ground with scattered ephemeral short perennial vegetation, introduced shrub of low habitat value, poor semi-improved grassland, species poor gappy young hedgerow, scattered scrub, and immature broadleaf trees of local habitat value. Single shrubs of rhododendron and Himalayan cotoneaster, listed on Schedule 9 of the Wildlife and Countryside Act (1981) as non-native, invasive species, were recorded on site in the earlier surveys and now appear to have been removed.

1.30 The site is considered to be of local value to urban breeding bird species that may nest in hedgerow and shrub habitats in low numbers and to hedgehog which may forage over the site on occasion. No other protected or priority species are likely to be affected by the proposals. The proposed development is not predicted to have any impacts on statutory or non- statutory designated sites.

1.31 The following impacts are anticipated as a result of the scheme:

- Loss of coarse mesotrophic grassland (0.2ha), species-poor gappy hedgerow, scattered and dense scrub, and immature broadleaf trees of local habitat value but forming part of the wildlife corridor.
- Disturbance to bats that may commute and forage on site through increased lighting.
- Harm/disturbance to breeding birds nesting within the hedgerows at the time of works.
- Harm to small mammals, including hedgehog, which may become trapped in excavations during site works.

-Disturbance to hedgehog which may forage over the site during site operation.

1.32 A number of mitigation measures have been proposed to address these impacts including bird and bat boxes, landscaping, lighting that minimises light spill and measures to ensure protected/priority species will not be impacted as a result of the works. These measures can be conditioned as part of the application.

1.33 BNG Assessment/Metric Calculation

1.34 Existing habitat within the site such as grassland, shrub and scrub habitat will be lost as part of the scheme resulting in a loss of 0.54 habitat units. All the native hedgerow around the site boundaries will also be lost to accommodate the scheme. Post-development, the on-site landscaping will consist mainly of vegetated gardens with very small areas of modified grassland and mixed native scrub habitat. A bioswale (SUDs feature) is also provided which will be sown with a wildflower meadow mix and 30no. medium sized urban trees are provided outside of private gardens. This will result in a net gain in habitat units of 7.66% which is largely being achieved through the planting of urban trees within the site. Hedgerow creation proposed as part of the scheme will result in a net gain in hedgerow units.

1.35 Landscape Scheme.

1.36 The Proposed Landscape Plan (DWG No: 832/LA3B Rev B 16/01/23) sets out the areas where the habitats identified as part of the net gain assessment (above) will be delivered. This shows native hedgerows to the southern and western boundaries and parts of the northern and eastern boundaries. A bioswale is located along the northern boundary planted with a wildflower meadow and there are a number of small communal and public open space areas where modified grassland will be provided. There is also a small area of mixed native scrub being provided on the eastern boundary and a number of 'urban' trees (30no.) throughout the development.

1.37 If the application is approved, a fully detailed Landscape Plan and 'Landscape and Ecology Management & Monitoring Plan' (LEMMP) will be required for a period of 30 years in order to ensure the habitats set out on the landscape plan, delivers the required net gain and meets the required target conditions.

1.38 Open Space Assessment

1.39 The land to the west of the former PH (approx. 0.2ha) is designated in the North Tyneside Local Plan as open space (DM5.3) and is also within a designated wildlife corridor (DM5.7). The former garden may appear as overgrown fenced-off land but nevertheless it is designated open space and within a wildlife corridor and contains semi-improved grassland of biodiversity value.

1.40 An updated open space assessment has been submitted (Ward Hadaway March 2023). The report considers all the requirements of the Local Plan policy DM5.2 (Protection of Green Infrastructure) which states the following:

'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.*

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'

1.41 The Report considers that Policy DM5.2 parts (b) and (c) have been met as the site is not a designated wildlife site/providing important biodiversity and the land is not required to meet a shortfall in the provision of that green space type. However, the assessment acknowledges that parts (a) and (d) of the Policy have not been met.

1.42 The Assessment concludes that:

"Limited harm would be caused by the proposed development acknowledging amongst other things the availability of open space in the ward and that the land is privately owned and there are no formal access arrangements". It also states that: "exceptional circumstances exist which support the proposed development which would enhance the area through the recycling of a site in need of re-use. Additionally, a financial contribution is proposed which it is envisaged would be used to enhance other open space in the locality".

1.43 The scheme clearly does not meet all of the criteria set out in Planning Policy DM5.2. An on-balance decision should, therefore, be made by the Planning Department which takes into consideration additional requirements and policies associated with the scheme. If the scheme is considered for approval on this basis, it would need to address the permanent loss of amenity open space associated with the scheme by providing off-site open space creation or enhancement in a suitable location agreed by the Local Planning Authority (LPA) to meet Local Plan and NPPF policies. A site has been identified on Council land close to the site which has the potential to be enhanced. Details of the financial contribution required to deliver this have been submitted to Planning for agreement by the applicant prior to the application being determined or approved.

1.44 Arboricultural Impact Assessment

1.45 The Arboricultural Report has been prepared by AllAboutTrees and dated July 2022 (revision D). The trees have been evaluated in accordance with BS 5837:2012 Trees in relation to design, demolition & construction, with regard to their quality and value. With regard to any retained trees, the type and size of the

root protection area is calculated, and the position of any protective barriers has been determined. The existing vegetation is made up of sparse single row hedgerows to the western and southern boundaries which are primarily hawthorn with three small fruit trees along the western boundary, and three small trees along the southern boundary. The eastern boundary hedge, which is not continuous, includes hawthorn, privet, cotoneaster and elder. The southern part has been removed at the request of the adjacent resident. There are two tree and shrub groups, one along the northern boundary covering an area of approximately 50 square metres, and includes privet, elder and wild cherry. The other is in the southwest corner of the garden and covers an area of approximately 40 square metres and is mainly willow.

1.46 The report states that all of the existing vegetation is described as being low quality (Category C as defined by BS 5837). It will be necessary to remove the existing trees and hedgerows to facilitate the proposed development and include Groups 1 (mixed species including privet, elder, wild cherry), Group 2 (Willow); hedgerow 1 (hawthorn, privet, cotoneaster and elder), hedgerow 2 (hawthorn, apple common pear and plum) and hedgerow 3 (hawthorn, ash, photinia, eucalyptus and fir. The proposed plans indicate a comprehensive planting scheme will be implemented to complement the proposed development and include the replacement of hedgerows with mixed native species hedgerows and a mix of native and ornamental trees, which will enhance the development site and improve visual amenity.

1.47 Drainage

A drainage strategy has been submitted (Drawing 2016101 000-00 A) that shows all drainage is to be collected into the road and taken off site via the existing drainage system to the north. Private car parking bays are to be constructed as permeable paving with connection to the main surface water system.

1.48 Coastal Designated Sites

1.49 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.

1.50 If the application is recommended for approval, the following conditions should be attached to the application:

1.51 Conditions:

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a revised AIA is to be submitted based on the updated landscape proposals plan The AIA is to be produced in accordance with BS 5837:2012.

Within one month from the commencement of development on site, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority and shall be in accordance with the details provided within the Biodiversity Metric 3.1 and BNG Assessment Report (E3 Ecology R06

Feb/March 2023). The landscape scheme shall include a detailed specification and proposed timing of all new tree, shrub, hedgerow and wildflower planting. All new standard trees are to be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. Any revisions to the landscape plan are to be submitted and approved by the local authority.

Within one month from the commencement of any development on site, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for on-site landscaping as set out in the Biodiversity Metric 3.1 and BNG Report (E3 Ecology R06 Feb/March 2023) and an approved Landscape Plan, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of site preparation, long-term design objectives, management and monitoring objectives, management responsibilities, timescales and maintenance schedules for all newly created and enhanced habitats within the site. 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 details of the following:-

- Details on the creation, enhancement and management of all habitats identified within the Biodiversity Net Gain Report/Biodiversity Metric (E3 Ecology R06 Feb/March 2023) and how the condition criteria will be met through management.
- Survey and monitoring details for all for all target habitats identified within the Net Gain Assessment Report/Biodiversity Metric. Monitoring Reports will be submitted to the Local Planning Authority 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 Local Planning Authority. The Plan will be reviewed every 5 years in partnership with the Local Planning Authority.
- 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/Biodiversity Metric.

5no. integrated bat features (e.g.bat brick, tile, bat box) and 5no. integrated bird features will be provided in new buildings within the development. Details of the specification and locations of the bird and bat features shall 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.

Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. High intensity security lights will be avoided as far as practical

and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. This shall include the following information:

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

No vegetation removal 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°.

Hedgehog gaps (13x13cm) will be provided within any new boundary fencing to allow the movement of wildlife through the site. Details of the number, location and specification of the hedgehog gaps within the fencing shall be provided on a plan and submitted to the Local Planning Authority for approval in writing within 4 weeks of development commencing on site.

2.0 Representations

2.1 Support

2.2 Nine representations supporting this application have been received. These representations are summarised below:

- Great scheme that will provide much needed affordable housing in the area.
- Housing costs are significant at the moment and much needed affordable housing will provide relief for those on the housing waiting list.
- Fully support the entrance from Clydesdale Avenue as this will reduce the congestion around Victoria Avenue.
- The car park is being used to drop children at school which causes a lot of problems for Victoria Avenue residents. This is a danger for our children walking to and from school.

- It is important to build new homes to accommodate a growing population, especially at rents and prices that are affordable for people who cannot easily compete in the open market.
- Cheaper rents benefit existing businesses and residents because cash saved on rent might be spent on productive local businesses instead. Cheaper rents might attract new businesses and new residents, growing the local economy. Cheaper rents benefits, the wider economy because lower commercial and residential overheads boost productivity, which makes the UK more competitive.
- This would be a fantastic development in an area which could really do with the extra housing. This is also affordable housing too which we are really in need of so it will do wonders for the local people.
- I am in favour of the development but I am anxious to request the preservation of the existing hedgerow in the northeast corner of the site to preserve privacy.
- Support the planting of native trees and hedge plants. This will support the efforts of Friends of Benton Village Green and other members of the local community to improve the quality of the wildlife corridor through the site. The SUDS has potential for helping that aim too. Swift boxes should be built into all properties under eaves on north aspects as per official guidance.

2.23 Objections

2.24 155 objections have been received. These representations are summarised below:

- Adverse effect on wildlife
- Impact on landscape
- Inadequate parking provision
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Out of keeping with surroundings
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Traffic congestion
- Will result in visual intrusion
- Loss of privacy
- Loss of visual amenity
- Inappropriate design
- Affect character of conservation area
- Inadequate drainage
- Inappropriate in special landscape area
- Loss of/damage to trees
- Pollution of watercourse
- Precedent will be set
- Within greenbelt/no special circumstance
- This development will add to traffic on Victoria Avenue, which is already congested at times. Urge the council to make more effort to promote sustainable transport in general so that residents can more easily choose to travel by bus rather than car. Until this is a more viable option, I hope the council will consider restricting parking by the junction of Victoria Avenue and Station Road. Parked vehicles on the latter hide oncoming traffic, which can make it especially difficult and dangerous for road users emerging from the former.

- Victoria Avenue and Clydedale Avenue are old and not very well-maintained streets and they are not designed for the current amount of traffic.
- Without meaning to pigeonhole every person who rents / lives in this type of "Social Housing Program" the sad truth is that the very nature of this type of development attracts a certain type of person or family which very often cause untold damage to the residents, properties and the feeling of safety and comfort that comes with living here in Forest Hall and particularly the aforementioned streets. Many of the residents have moved here for the quiet, peaceful and neighbourly atmosphere that Forest Hall provides. These people have then went on to invest huge amounts of money into their properties to make their quality of life better for themselves and for their often young families. This in turn raises the value of the surrounding properties and altogether improves the area. A Social Housing development such as this would degrade if not destroy that feeling of safety that we all share.
- This application is a mistake, it should not happen where you propose, and for once as our council change the habit of a lifetime and listen to the views of the people and residents you are supposed to serve in the public interest and know that we do not want this to happen. Instead of being motivated by greed look at an alternative for the site.
- Applicant is being greedy requesting to build so many properties on a small piece of land.
- The applicant has not worked with residents and has given no thought to the proposed plans.
- We need social bungalows; we do not have enough bungalows for our elderly living longer. There would be less traffic with bungalows so residents may be acceptable of this plan.
- Increase in traffic on Victoria Avenue will present safety issues for children who use Victoria Avenue to access the two schools in the area.
- Site needs to be developed but the proposed development is not in keeping with the local area.
- The suggested flats and the field drainage area are too close to existing properties.
The site, which is currently covered in rubble and weeds, and is a magnet to those wanting to create a disturbance could be developed to maintain the best qualities of the area. A safe place to walk and a haven for the wildlife.
- There is no guarantee of rental properties at housing benefit rates on the development, nor other clarity that the development will indeed benefit local people priced out of other housing.
- Will all the houses/ flats be for sale or will some be for rent?
- Could the Council or a Housing Association buy some for rent?
- Might Karbon Homes consider keeping a house for a refugee family rehoused through Community Sponsorship and the Home Office? The local charity Tyneside Welcomes (www.tynesidewelcomes.org) would support this: six of its members live in Victoria Avenue with others close by. I am Chair of Tyneside Welcomes.
- If the homes are to be affordable, they should have high levels of insulation, built in solar panels (Hot water and PV) and shared ground-source heating - easy to do when building from scratch.
- Access is an issue, whether via Victoria Avenue or Clydedale Avenue. Clydedale is very narrow. Having access via Victoria Avenue is a logical move as it is a more direct route to the main road. However, Victoria Avenue residents

mainly have no off-road parking, and many have more than one car, leading to significant existing congestion from parked vehicles. This makes both roads increasingly dangerous for children, especially at times of drop-off/pick-up for the three schools. Additionally, Post Office workers park in Victoria Avenue. There are already serious issues that the proposed development, in its present form, would make much worse.

-Avondale/Station Road junction has good lines of sight it is already busy. But parked vehicles on Station Road close to the junction with Victoria Avenue hide oncoming traffic, which makes it difficult and dangerous for road users to safely emerge from Victoria Avenue onto Station Road. This is exacerbated by the presence of another road directly opposite, leading to uncertainty over traffic priority at peak times, as well as a poor road surface. There are currently often long waits and dangerous incidents.

-Considering local conditions and the imperative to reduce motor traffic to combat climate change, air pollution and the eroding of safe space for walking and cycling that increased car use produces, we feel limiting the parking spaces to one per house would be advisable and desirable. Instead of over 30 potential cars having to drive along Victoria Avenue this could be reduced to 20. This would also encourage the use of bikes, buses and metros which in turn will address the need to reduce car use and air pollution.

-To enhance cycling and walking a segregated cycle route would be strongly supported (Photo 14 NT Cycling Design). The development without so many parking places lends itself to being landscaped as a play street.

-Has anyone considered where all the cars that drop off children for the schools will be parked if the car park disappears? What can be done to discourage cars being used to drop off children to school?

-The Village Green is a rare and precious relatively dark area locally. Bats are common in the area and will be negatively affected by bright and additional street lighting from the development. LED lighting should be "warm white" with less blue light. It is important that it should not stray onto the Village Green, which is used for stargazing and by bats at night; all lighting should be automatically dimmed after say, midnight. Birdlife is also affected by too intense street lighting.

-The area into Avondale Avenue is already heavily congested for access into existing houses, the school children high school and primary school are already compromised by the volume of traffic into school site and the cul de sac location Clydesdale Avenue is unsuitable. Construction vehicles are a danger in such a small cul de sac and the safety of the children and elderly residents is a concern.

-The number of houses should be reduced to make more space for play.

-Reduce the number of cars which would encourage the use of bikes, buses and metros which in turn will address the need to reduce car use and air pollution.

-As cyclists we would like to see the detailed cycling infrastructure of the site before the final submission to the Local Planning Authority.

-Height of the proposed fencing to the front of the terraced housing appears to be 1.8m high which we feel seems inappropriate considering the open aspect which exists in the surrounding streets.

-As a parent I object to this proposal on every level. This is not the type of development needed in this area. Especially not at the expense of our children's safety.

-The road is already too narrow to accommodate most large vehicles (the demolition of the Fusilier pub as an example, where wagons and lorries became stuck on the corner, or bin wagons who are unable to fit unless they fold all car

wing mirrors and have a colleague guide them) our children use the route via the Fusilier site to walk to school. This is already known locally as the 'School Gauntlet' due to the dangerous manoeuvring and volume of traffic from parents using the site as a car park. This is only going to get worse for our children throughout buildings works and into the future as the development is occupied.

-In Victoria Avenue alone we have 25+ school aged children, with the majority attending Benton Dene Primary and many just transitioning to Longbenton High School. Our children play in our street at all times in all weathers and deserve to do so safely. Many of our children also play on Benton Village Green directly adjacent, this would no longer be possible due to the dangers they will be presented with if this development is completed. The independence and responsibility they are able to have by using this area without very close supervision will be taken away from them. After spending so much time unable to be outside with their peers due to Covid restrictions this will only have a further negative impact on them as they grow to understand the adult world.

-This area would be much better suited to a safe space where our children can play freely without having to worry about the dangers of the world around them. We do not need additional housing and vehicles but more green space and amenities to occupy and engage our children. Benton Village Green has blossomed into a place that our children can learn and play, there are fruit trees, hundreds of plants and creatures of all shapes and sizes with designated areas for play. This site should be considered instead for our children. Be it a skate park, pump track, basketball court or simply grass.

-This kind of social housing will devalue our homes, increase crime rates and anti-social behaviour, over populate our existing, oversubscribed schools and create an environment that is not safe for our children to walk to school and play in.

-I am aware that residents on Clydesdale Avenue have concerns regarding traffic and would prefer to see access through Victoria Avenue, might I suggest you open both streets and distribute the traffic and dismay evenly so as to avoid resentment building between residents as I'm sure you will go ahead with your development regardless of our feelings, concerns and objections.

-I object to the plans based on vehicle access through Victoria Avenue only. The street is narrow with residents' cars parked on both sides of the road. It is not uncommon for cars to have to wait at either end of the street for access, due to another vehicle. This alone can cause problems on the main road. The street is a main pedestrian access for Benton Dene primary school and increased traffic, with the narrow road and parked cars will impact on the safety of the street. As a resident of Victoria Avenue, I also find it increasingly difficult to park on the street, which will only be made more difficult if it is the only through road for the new development.

-The plan is out of keeping with the existing residential mix, which is largely comprised of semi and detached bungalows, Dutch style bungalows with an upper storey extension and some detached and semi-detached houses. There is no provision on the site of bungalows for older residents. It would be appropriate to site 2-4 bungalows where the two blocks of flats are now planned. This would have the benefit of complementing the existing houses and continue the residential mix.

-The terrace of double storey housing is out of character with the rest of the surrounding area and would overwhelm the rest of the development. Each of the plots seems to have two parking places which would be a concern for traffic

congestion and safety also the existing traffic which is parked in the morning and afternoon for Benton Dene School pupil pick-up and drop off. These will only use Clydedale and Allendale Avenue causing even more congestion and aggro for residents.

-Who will be responsible for the maintenance and upkeep of the landscaping?

-The traffic on Victoria Avenue will increase in an area that is quiet and currently safe for our children. The street is a family street, and our children need safety. The area in question should be used as green space for the children. The noise and disturbance will affect the lives of people in Victoria Avenue negatively.

-The only reason these plans have changed is because of school traffic, so rather than rerouting the traffic, these plans should be completely reconsidered. Having social housing in this area will mean more noise, footfall, and is not in keeping with the area. I feel as though the residents of Forest Hall have not been considered here, and the council have not thought about the needs of the residents in the area. We don't need social housing, we need green space, parks, recreation, and safety for our families.

-Parents park on this site for drop off and pick up and regardless of this Clydedale Avenue is still full of cars one can only imagine how bad the surrounding streets would be if they no longer had access to park in there. This is already major safety issues for young children and high school children an accident waiting to happen. Thrown into this are many of the teachers parking in Avondale and users of the GP practice and surrounding shops.

-Changing the access from Clydedale Avenue to Victoria Avenue is a tremendous oversight and I strongly object to this.

-Victoria Avenue already gets highly congested, particularly during school drop off and pick up times. Unlike Clydedale Avenue, none of the terraced houses (1-14) have off-street parking or any space to create it, and the majority of the houses in the cul-de-sac (13-56) also lack adequate parking spaces. Houses on the north side of Victoria Avenue cannot use the back lane for access to our properties, as it is one cars width and used by the residents of Connaught Gardens who do not have any other option to access their homes as their street is pedestrianised to the front. There are always cars parked on either side of the road, reducing the access to one lane. This already causes issues in peak times, as there is nowhere for cars to go when they pull in from Station Road if the traffic is backed up along Victoria Avenue or a car / cyclist is coming in the opposite direction. Adding a substantial number of extra vehicles accessing the new development, particularly during peak times, will cause traffic to back up onto Station Road and cause significant congestion throughout Forest Hall and the environmental and safety issues should not be overlooked. The access onto Station Road has poor visibility due to parked cars on both sides of the junction which further delays cars exiting Victoria Avenue. It also causes cars to speed along the section between Station Road where it is reduced to one lane by the parked cars.

-You only have to look at the screenshots from Google maps (attached) to see the difference in width and accessibility to the site from both Victoria Avenue and Clydedale Avenue, including annotations to draw your attention to specific issues with the access. As a QHSE professional working in the construction industry, we look to mitigate the risks to all stakeholders and the environment whilst planning, both during the construction phases and for the lifecycle of the built site but the change in access looks to increase the risk to all stakeholders and I would like to

understand how this decision has been reached and ask you to provide this information to residents.

-Forest Hall and its residents, like so many other areas in North Tyneside are being "squeezed" with the cost of living crisis. The general infrastructure, the businesses, the transport links, the schools, everything is poorly maintained and supported, and we are all feeling the effects. To bring in another 50 or more people into this immediate area will put undue stress on every aspect of the area.

-These plans are not what we want, and personally I will be writing to our local MP to let him know of my feelings about this. We as residents do not want this development, my family does not want this development to happen, and I sincerely hope that you break a habit of lifetime as our council and start listening to the views of your residents in this matter and think of another way to use the aforementioned site.

-Clydesdale Avenue access would be better as residents can park on their drives.

There is a build-up of cars at the terraced section particularly at peak times. A potential increase to the current volume of traffic will cause further delays and potentially more congestion for vehicles entering and exiting Station Road.

-Congestion on the terraced section of Victoria Avenue will also cause serious delays or prevention of access for emergency vehicles.

-I live in Redesdale Close and have to drive down Avondale and through Weardale Avenue to get to my house. In term time Benton Dene parents and even some of the teachers park for up to 30 mins on Avondale and Weardale Avenue the traffic is dangerous and they double park so if an ambulance or fire engine needed to get through they wouldn't be able to. I have complained to the school on several times.

-There are quite a few parents of Benton Dene children who park on the site so where are they going to park? You need to sort Benton Dene parking first.

-Closeness of the gable end of the proposed houses too close to my house.

-Closeness of eastern block of flats to 11 Albany.

-On the plans a new fence is shown that blocks my side gate exit this gate has been in place for my family to use and the two families before us.

-My home has subsidence this has happened since the removal of the Fusilier pub, shrubs that belonged to Karbon Homes have been removed as this is thought to have been the problem but I am obviously very concerned for any future building work as I find it difficult to believe it was the shrubs alone that have caused the subsidence.

I would like my home to be independently monitored if/when Karbon homes commence their building work for any movement I hope you understand my concerns.

-This application has not addressed the main problem of vehicular access via Clydedale Avenue. The Benton Dene and High School traffic on the mornings afternoons from both ends is terrible with people ignoring the road restrictions, this will cause issue with site traffic and potential residents at pickup/drop off times endangering school children. While I have no problem with opening up the end of Clydedale Avenue to enable a secondary access to this area, I believe that the current access to the site via Victoria Avenue is more sustainable in the long run as a main entrance especially for large vehicle access. Current waste management services struggle navigating the narrow (Clydedale Avenue) and as a result current stone bollards have previously been destroyed in the attempt.

Furthermore the entrance into the estate via Station Road is the only entrance and exit, in the long run I believe that traffic lights will be needed due to the congestion this will inevitably cause, making Victoria Avenue access the better choice.

-The flats numbered 13 - 16 appear very close to the side of our house and are not in keeping with the bungalows and housing in this area.

-This amended application has not addressed the main problem of vehicular access through the estate.

-At a time when government is advocating 'clean air' around schools, these proposals, if agreed, would divert traffic towards a school entrance and residential area which is already experiencing high volumes of traffic.

-This development will block the view from the houses at the end of Albany Avenue and surrounding residences. It will also significantly limit the light into these houses as these are south facing and ruin views across the wildlife area which contributes to the value of the homes.

-Opposite the site of the old pub where the development is proposed is a wildlife area popular with families and local residents to sit and enjoy the green break in an otherwise heavily developed area. If this area were developed on the next wildlife area to sit and enjoy would be Killingworth Lake, (1.7 miles away) or Rising Sun reserve (2.2 miles away) both of which are already very busy.

-Outdoor spaces have always been important but it is since covid and the lockdowns that I personally have understood how important local green spaces are to support the maintenance of good mental health and relaxation. I fear should this development go ahead it will remove a green space currently used by many local residents for walking, dog walking, cycling, enjoying the local wildlife etc and push them onto further afield green spaces that are already heavily used.

-Together with the increased parking that will no doubt spill over from the large number of properties with at least two cars per property, more with visitors which will end up spilling onto nearby streets which are already dense with properties and cars.

-As an architect myself I would also like to comment on the densely packed design of terrace effect of the properties which have obviously been crammed on the site with little amenity space, which is not in keeping with the houses adjacent and in the area generally. A blatant overdevelopment in my opinion. A looser design with less properties, more amenity space and more thought to access would be more appropriate in my opinion. I hope as Planners all these points will be taking into account together with the previous objections from neighbours who are also concerned with the density and close proximity to their own properties.

-The surrounding streets in this location are already heavily congested not just at school pick up there is also teacher access, and wraparound care from 7:30am to 6pm. At the moment this site is used by the parents for school parking as well as parking in the surrounding streets this will only push the cars further into Victoria Avenue and make the Clydedale access worse than it already is. It is a huge safety risk to the small children accessing this primary school.

-The communication we had received from Karbon Homes which outlined a different plan to that which we had received from North Tyneside Council, I wish to put in writing our further concerns around the proposed pedestrian and cycle route through Allandale Avenue and onto the proposed site. There has never been an access route at this point, and I honestly cannot understand why this is needed. All I can see is that it would serve as a short cut from the site. The original plans proposed a pedestrian access around the site which I believe

would be adequate without adding an extra gate at the end of our driveway.

-The plans included 2 blocks of 4 flats. One of which is proposed immediately to the side of our property. You advised that there is a corridor of 1.5 meters between our house and the proposed block of flats. We feel that this is far too narrow, and we believe this would be a dark and frankly dangerous strip of land running alongside our house.

-I do not believe that the proposed blocks of flats are appropriate. I would have thought houses and some bungalows, which would offer much needed accommodation for older tenants, would be more appropriate.

-It seems very unsatisfactory to have vehicular access to the site through Avondale Avenue and Clydedale Avenue. Avondale is the only road in and out of the whole 'Dales Estate' and as a result can often already be quite busy and congested, especially with vehicles always parked on either side of it. Clydedale Avenue is a very narrow residential street which can only be accessed from Avondale Avenue by two tight 90-degree corners and which itself has another tight 90 degree corner along its length.

-Clydedale Avenue has for very many years, if not always, been a cul-de-sac, blocked off to vehicular traffic at the entrance to the pub car park. It was clearly never designed for any quantity of through vehicular traffic and is quite unsuitable for this purpose. This is especially so given the nature and size of the completed development which it appears will inevitably involve quite heavy and regular traffic flows at all times of the day.

-The development will have 8 flats and 12 houses with a total of 44 bedrooms, so a large number of adults will be living there with potentially a large number of private cars. Indeed, the proposal includes 32 on-site parking spaces for residents plus more for visitors so it is obviously envisaged that the number of vehicles at least could be regularly going in and out of the development. In addition, of course there will be services, maintenance and delivery vehicles, etc. These risks will be exacerbated by the fact that there is, and will be, a pedestrian/cyclist public right of way through the site via Clydedale Avenue which is quite well used at all times, but particularly in the morning and afternoon by children and their parents going to and from the local schools which have an entrance at the other end of Clydedale Avenue. There must be serious safety concerns about these pedestrians in future having to share the narrow width of Clydedale Avenue, and the same entrance to the development, with the vehicular traffic which will be generated by it.

-Vehicular access to this site has always been via Victoria Avenue. That is not to say that vehicular access via Victoria Avenue would be any more satisfactory for a development of this size. The Fusilier pub generated relatively light vehicle traffic as far I understand it but nevertheless still created some traffic management and safety concerns for residents of Victoria Avenue. These would likely be exacerbated by the increased traffic volumes arising from a development of this size.

-A new 3 metre wide walk/cycleway is proposed through the eastern end of the end of the site. This is welcome, if the development does go ahead. However, I would question what is proposed for the 10 metre strip of Victoria Avenue which leads onto that cycleway at the southeast corner of the site. As I understand it, one principal reason given by Karbon Homers in the past for not using Victoria Avenue for its owner coming forward later and stopping use of that strip by vehicles. (This ownership problem does seem to be evidenced by the current unmaintained state of the surface of that 10 metre strip). If this ownership

uncertainty is a real problem, who in the future will ensure the surface of that strip of Victoria is adequately maintained for pedestrians and cyclists. Is the Council planning to compulsorily acquire it and adopt it?

-It would not make sense to have a nice new cycleway through the development which can only be accessed by a potholed approach road.

-It appears the eastern gable ends of the houses and one block of flats will only be approximately 12 metres from the existing dwellings at 11 Albany Avenue and 14 Connaught Gardens. The pub was set rather further back than this. I question whether this relatively close proximity could impact adversely upon the right to light of those two properties and also the privacy of the residents there, with their gardens and windows being overlooked by the new development.

-Would a development of say half a dozen dwelling houses not be financially viable for the developer?

-These homes are very small, and I believe too many homes have been squeezed in to such a small site. There is very little green or landscaped space, so this development will look like a car park.

-Local wildlife, such as deer, use Benton Village Green and the fields down to Benton Lane, A188. The wildlife will be disturbed by the building work.

-The Fusilier was always serviced via Victoria Avenue for both customers and deliveries, at present the Fusilier land is used as parking facilities for the school, this was agreed with the landlord of the pub at the time, when this land is developed all of these vehicles will then head into Avondale, Weardale and Clydedale, speak with the school regarding the safety issues of the danger to the kids. The headmistress e-mails, send letters out asking parents not to use these as drop off points but they ignore her and the permit parking, she even spoke about setting a road block up with the help of residents at the junction of Avondale and Weardale during the times of the permit. I invite you to visit and look at the way they drive in and out of the estate with no thought of the danger they are putting their own kids and others at risk. It would also have a further impact on the junction of Albany and Station Road, this junction services, Albany, Avondale, Weardale, Clydedale, Allendale, Teesdale, Wensleydale, Liden Court, Cambridge Avenue, along with the Doctors, Nursing Home, Benton View, Amici, three hairdressers, Firstvets, Gearbox, Sweet shop Chemist and beauty salon, the school plus the additional cars that are using the Fusilier and now the additional proposed 20 homes plus additional parking they have allowed for, the junction at Victoria Avenue and Station Road only services Victoria Avenue, if this was the access road they would have less traffic than they do now with the school using the facility, plus Clydedale Avenue is so narrow, houses 1 and 2 have permit parking for visitors who park on the road, this would make the entrance to the development very narrow and again for foot traffic, please come and witness especially when the high school comes out and the route they take walking through Clydedale Avenue, it's an accident waiting to happen.

-Things may have been different if parking control had taken a stronger stance but we never see them but then they turned up twice during lockdown when we had no issue as the school was closed, they had come to ticket residents who were not shown a permit.

-What is the impact this will have on the village green? This has over the last few years been redeveloped to include a wildlife conservation area - how would this be affected by the building of 20 homes?

-The houses are too close to the village green. They appear to be only 3m from the boundary. This should be at 6m.

3.0 External Consultees

3.1 Northumbrian Water

3.2 In making our response to the Local Planning Authority (LPA) Northumbrian Water assess the impact of the proposed development on our assets and assesses the capacity within our 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 of our area of control.

3.3 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://nwl.co.uk/services/developers/>

3.4 We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment". This document reflects our pre-planning enquiry advice identifying that foul flows will discharge to the existing public surface water sewer at manhole 6402. Surface water flows will discharge to the existing public surface water sewer at manhole 5503, at a restricted rate of 2.7l/sec.

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

3.6 Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment" dated "January 2022". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6402 and ensure that surface water discharges to the surface water sewer at manhole 5503. The surface water discharge rate shall not exceed the available capacity of 2.7l/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.

3.7 It should be noted that we are not commenting on the quality of the FRA as a whole or the developer's approach to the hierarchy 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 it is their intention to offer SUDS for future adoption.

3.8 Newcastle International Airport Limited (NIAL)

3.9 The Airport welcomes the production of a Bird Strike Risk Assessment. The applicant has argued that due to the scale of the proposed landscaping, the location of the site and the percentage cover of native hedging, the species mix is considered appropriate and would not detriment the safe operation of the Airport. On balance, after considering this argument, the Airport is satisfied that the proposal would not lead to an inappropriate rise in bird activity which would potentially harm the safe operation of the Airport. The Airport wishes to remove its original holding objection.

3.10 Northumbria Police

3.11 We have noted the new layout and boundary treatments. As with our comments dated 14th March 2022, we still have concerns regarding the footpath located adjacent to Plot No's 13, 14.15 and 16. I would ask this footpath is reconsidered and removed as there is already pedestrian access from Clydedale Avenue and Victoria Avenue.

3.12 As per previous comments, we would recommend lighting levels conform to British Standard for street lighting BS5489-1:2020 which is the industry standard for road and public amenity lighting.

3.13 Northumberland Wildlife Trust

3.14 The Trust has no objection to the application as long as the following details are confirmed and agreed under relevant planning conditions or ideally a Landscape and Ecology Management Plan (LEMP).

3.15 The following habitats have been listed as being lost under the current plans – semi-improved neutral grassland, species-poor defunct hedgerow, scattered and dense scrub, and immature broadleaved trees forming part of a local wildlife corridor. Further impacts include disturbance to foraging and/or commuting bats, potential disturbance to breeding birds using hedgerows and small mammals that may be using the site.

3.16 Plans include the creation and or enhancement with native species-rich hedges along sections of the boundaries as mitigation for the listed impacts. There is mention of hedgerows with standard trees but this does not appear to be indicated on the plan or planting list. The final landscape plans should therefore indicate species mixes and hedgerow trees at intervals along the hedgerows, using locally native species.

3.17 In addition, there are a number of 'urban trees' throughout the development. The Trust recommends that more locally native tree species are planted within the site rather than the ornamental varieties noted in the planting list, which will increase the overall value for biodiversity, as 58% of the net gain contribution is through the planting of 'urban trees'. The hedgerows and trees to be retained or removed should be clarified in the LEMP, alongside replacement habitat and species lists. Timings of vegetation removal or disturbance also need to avoid bird-breeding season.

3.18 The Trust welcomes the proposals for wildflower areas; however, the Soft Landscape Specification does not provide details of appropriate soil use for the establishment of these areas or the future management to maintain these areas.

3.19 Details of the above points need to be clarified and then agreed by the Council Biodiversity Officer, through appropriate conditions, to ensure adequate mitigation and future management for nature conservation.