

Item No: 2
Application No: 21/01569/FUL Author: Maxine Ingram
Date valid: 23 July 2021 ☎: 0191 643 6322
Target decision date: 17 September 2021 Ward: Weetslade

Application type: full planning application

Location: Land At Former School House, Sandy Lane, North Gosforth, NEWCASTLE UPON TYNE

Proposal: Erection of 4no detached dwellings. (Resubmission) (Additional information: landscape plan, tree report, biodiversity net gain assessment, received and uploaded 10.01.2022)

Applicant: C/O George F White

Agent: George F White

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider are:

- The principle of the development,
- The impact on character and appearance including the conservation area, the setting of the listed building and the Green Belt,
- The impact upon residential amenity,
- The impact on the highway,
- The impact on biodiversity; and
- Other issues.

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

2.0 Description of the Site

2.1 The site to which this application relates is a vacant parcel of land measuring approximately 0.18 hectares (ha). It is located at the junction of B1318 and Sandy Lane. To the north the site is bound by Sandy Lane. To the west the site is bound by the B1318. Within the site there are several trees, these are protected

by the Sandy Lane West Tree Preservation Order (TPO) 2007. Immediately beyond the southern and eastern boundaries of the site is an area of designated Green Belt. This encompasses a large, wooded area, the trees located within this area are also protected by the Sandy Lane West TPO. Further to the south of the site are the Church of the Sacred Heart (Grade II Listed Building), Church Hall and Presbytery. Beyond the highways to the north and west of the site are residential properties.

2.2 The application site is located within the Sacred Heart Conservation Area.

3.0 History of the Site

3.1 The site has a detailed and complicated history which is set out in greater detail in Section 4 of this report. The site was formerly occupied by a Victorian building, known as the Old School House. The former buildings on the site were damaged by fire, resulting in the demolition of the buildings several years ago. Since the demolition of these buildings the site has remained vacant and undeveloped. Members are advised that the history of events leading to the demolition of the former buildings is not a material planning consideration in the determination of this application nor is it a reason to refuse any form of development on this site.

3.2 It is noted that there have also been several enforcement cases relating to this site. Members are advised that the enforcement cases are not a material planning consideration in the determination of this application, which must be assessed on its own merits.

3.3 The last appeal decision related to the construction of 8no. managed residential letting properties (Planning Ref: 17/01543/FUL). This appeal was dismissed. The Planning Inspector found the appeal scheme, in combination of scale, mass and form, a dense development in close proximity to the undeveloped woodland that would consequently result in a harmful effect on the character and appearance of the area and the Conservation Area. The Planning Inspector considered that the proposed development would cause less than substantial harm to the significance of the Conservation Area as a whole and whilst there may be some public benefit that did not overcome the harm they identified.

3.4 The Planning Inspector considered that appropriately worded conditions could deal with the drainage works without having an unacceptable detrimental impact on the protected trees. They also considered that an appropriately worded condition could secure a lighting scheme that would not have an unacceptable impact on the woodland. They concluded that the development would not have an unacceptable impact on biodiversity.

3.5 The Planning Inspector did not find that the additional activity generated by the appeal scheme would be sufficient to have a notable detrimental impact on the living conditions of the occupiers on the nearby Sandy Lane and the busy B1318 road.

4.0 Description of the Proposed Development

4.1 Planning permission is sought for the construction of four detached residential dwellings.

4.2 The north building line of the proposed dwellings is staggered. The units, excluding the recessed part of the proposal, will be sited between 7m and 11m from the northern boundary (approximately). The unit closest to the B1318 will be sited between 1m and 3m from the western boundary (approximately). Each dwelling will accommodate a pitched roof which is split to vary the height. The height varies between 9.6m and 7.5m (approximately). The eaves will be approximately 5.6m.

4.3 The ground floor will accommodate an integral garage, kitchen/dining room, living room, dining room, study and utility. The first floor will accommodate four bedrooms two with en-suite and a bathroom. First-floor balconies are proposed to the front and rear of the dwellings.

4.3 To the front of the integral garage is a driveway which can accommodate two vehicles. Gardens are located to the front and rear of the dwellings.

5.0 Relevant Planning History

5.1 The planning history confirms that all applications received relating to tree works were returned.

21/01774/FUL - Erection of gym with associated parking (Re-submission) - (Additional information: landscape plan, tree report, biodiversity net gain assessment, received and uploaded 25.02.2022, additional information: AIA, TPP received 12.01.2023) – Permitted 15.03.2023

20/01261/FUL - Erection of a Gym / Nursery Building (Additional information submitted February (various reports) and April 2021 (sequential assessment)) - Withdrawn 10.05.2021

20/01260/FUL - Erection of 4no detached dwellings (Additional information submitted) – Withdrawn 15.03.2021

17/01543/FUL - Development of 8no. managed residential letting properties, including construction of new site access and parking area and removal of one protected tree (Amended plans/documents received 22.05.2018) – Refused 08.08.2018. Dismissed at appeal 30.04.2019.

09/03313/FUL - Demolition of existing structure and erection of a single detached dwelling house incorporating parking, guest house and landscaping/maintenance plan. Two options for design of guest accommodation (Amended proposal and additional option (2)) – Withdrawn 17.01.2013

09/03314/CON - Demolition of existing structure and erection of a single detached dwelling house incorporating parking, guest house and landscaping/maintenance plan. Two options for design of guest accommodation (Amended proposal and additional option (2)) – Withdrawn 17.01.2013

09/02158/FUL - Demolition of existing derelict building and construction of residential dwelling and detached garage – Refused 16.10.2009.
Allowed at appeal.

09/02159/CON - Demolition of existing derelict building and construction of residential dwelling and detached garage – Refused 16.10.2009.
Allowed at appeal.

08/03479/FUL - Demolition of existing building and construction of residential dwelling and detached garage – Withdrawn 26.01.2009

08/03480/CON – Demolition of existing building - Withdrawn 26.01.2009

07/00902/CON – Demolition of dangerous structure – Refused 11.05.2007

06/03017/OUT – Proposed 2 storey residential care home providing 42 private bedrooms and associated accommodation – Refused 13.12.2006

6.0 Development Plan

6.1 North Tyneside Local Plan (2017)

7.0 Government Policies

7.1 National Planning Policy Framework (NPPF) (July 2021)

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

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

PLANNING OFFICERS REPORT

8.0 Main Issues

8.1 The main issues in this case are:

- Principle of the development,
- The impact on the character and appearance including the conservation area, the setting of the listed building and the Green Belt,
- Impact upon residential amenity,
- Impact on highway safety,
- Impact on biodiversity; and,
- Other issues.

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

9.0 Principle of the development

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

9.2 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.

9.3 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.

9.4 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.

9.5 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.

9.6 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.

9.7 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.

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

9.9 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...."

9.10 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.

9.11 Several objections have been received regarding the development of this land. These objections are noted.

9.12 The site is not designated for housing; however, the surrounding area is predominantly residential. Furthermore, the former use of the site was residential. The proposed development would be on previously developed land within a built-up area. It is the view of the case officer that the principle of residential development on this site is acceptable.

9.13 Members need to determine whether the principle of the proposed development, in terms of bringing a vacant, brownfield site forward for residential use and whether it meets the requirements of the NPPF and LP Policies S1.4 and DM4.5. It is the view of officers that the principle of bringing a vacant, brownfield site forward for a residential development is acceptable, subject to all other material considerations set out below being addressed.

10.0 North Tyneside Council Housing Land Supply

10.1 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.

10.2 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.

10.3 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'.

11.0 Impact on character and appearance, including the conservation area, the setting of the listed building and the Green Belt

11.1 Under Sections 66(1)) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering granting planning permission which affects a listed building, or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting, or any feature of special architectural or historic interest which it possesses. Section 72(1) of the same Act contains similar requirements with respect to buildings or land in a conservation area.

11.2 Paragraph 195 of the NPPF requires LPA's to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. LPA's should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

11.3 Paragraph 196 of the NPPF states "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision."

11.4 Paragraph 197 of the NPPF requires LPA's to determine applications taking account of the following:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

11.5 In respect of designated heritage assets, the NPPF states that when determining the impact on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm

amounts to substantial harm total loss, or less than substantial harm to its significance (para 199). Potential impacts on heritage assets are further considered in paragraphs 200-202 of the NPPF.

11.6 Paragraph 206 of the NPPF encourages LPA's to look for opportunities for new development within conservation areas or the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

11.7 Members are advised that the application site is not located within designated Green Belt; it borders the designated Green Belt to the east and south. The main purpose of the Green Belt is to check the spread of the built-up area by keeping land permanently open, preventing urban sprawl and merging settlements. In conformity with the NPPF, Policy DM1.6 'Positive uses within the Green Belt' the Council will regard the construction of new buildings in the Green Belt as inappropriate.

11.8 LP Policy S6.5 'Heritage Assets' seeks to pro-actively preserve, promote and enhance its heritage assets.

11.9 LP Policy DM6.6 'Protection, Preservation and Enhancement of Heritage Assets' states:

"Proposals that affect heritage assets or their settings will be permitted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of heritage assets in an appropriate manner. As appropriate, development will:

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

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

Heritage assets that are to be affected by development will require recording (including archaeological recording where relevant) before development commences.

Any heritage reports prepared as part of a development scheme will be submitted for inclusion on the Tyne and Wear Historic Environment Record (HER) and published where considered appropriate.”

11.10 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.

11.11 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.”

11.12 Paragraph 92 of the NPPF, amongst other matters, seeks to promote health and safe communities.

11.13 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.

11.14 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.”

11.15 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.”

11.16 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.

11.17 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.

11.18 The Sacred Heart Church Conservation Area Character Appraisal was adopted in January 2009. It acknowledges that most of the conservation area forms part of the Green Belt and therefore consideration must be given to how it looks when viewed from its environs, including the adjoining areas of Green Belt. Specific reference is made about the application site in this document stating, “Whilst it is acknowledged that the derelict site cannot remain in its current state, any proposed development will be subject to intense scrutiny and extremely careful consideration to ensure that it is deemed suitable for this sensitive site and be able to preserve or enhance the character and appearance of the conservation area”.

11.19 The objections received regarding the impact on the conservation area, affecting the setting of a listed building, inappropriate design, inappropriate materials, out of keeping with surroundings and amount of development proposed are noted. This site is not designated as a Site of Special Scientific Interest (SSSI), and it is not located in the Green Belt; it borders the Green Belt to the east and south.

11.20 The Northumberland and Newcastle Society considers the design of the application to be modern incorporating steep pitched roofs. They do not consider that the chosen design approach and layout addresses the challenges of this site set out in Council documents. They consider that it ignores the importance of the corner site and the elevation to the B1318 road. They consider the design of the

houses to be repetitive and perhaps too many to achieve an appropriate treatment of the site. They consider an individual house at the corner would be more likely to address the issue of this corner site.

11.21 The objector's comments regarding the footprint of the development being greater than the buildings that previously occupied the site is noted. Members are advised that this application must be assessed on its own merits and consider whether, in their opinion, the site can accommodate the development proposed and consider whether the design of the proposed housing is appropriate in this part of the Conservation Area.

11.22 The application site is located within the Sacred Heart Church Conservation Area occupying a corner position. The conservation area has an undeveloped character, its only buildings being the Grade II listed Sacred Heart RC Church, Parish Hall and Presbytery. The wider Conservation Area is largely covered in mature woodland and is also designated as Green Belt. It is bound to the north by Sandy Lane and to the west by the B1318. The residential properties located to the north of the site vary in terms of design.

11.23 Members are advised that this application is a re-submission of a similar proposal for four detached dwellings (Ref: 20/01260/FUL). The applicant was advised that the design failed to recognise its surrounding built context and the proposed materials were also considered to be unsuitable. This application was withdrawn.

11.24 This application is for the construction of four detached dwellings, designed with a contemporary architectural approach.

11.25 Heritage and Design comments have been sought. These comments are clear that the officer considers this revised application overcomes the reasons for their previous objections. They consider the contemporary architectural design maintains a relationship to its surroundings through the scale, form and use of materials. As already discussed, there is a mixture of building forms and styles around the site, and they are all unified by pitch roofs which create a visual link between buildings. The proposed application continues the visual link.

11.26 The dwellings would accommodate pitched roofs of varying scales. By varying the roofscape and providing breaks between the footprints of the plots, views of the woodland to the rear would be afforded.

11.27 The Heritage and Design comments are clear that the success of the proposal will rely on the quality of materials used and architectural details employed. A range of materials are proposed including red multi-brickwork, render and timber alongside clay roof tiles. This reflects the materials on the surrounding buildings or where contemporary materials are used, they reflect the colours and tones of existing materials in the local area. Conditions are recommended to ensure sample details of materials are secured.

11.28 The dwellings will be sited away from the boundaries of the site. The proposed dwellings would front onto Sandy Lane creating an outward facing development and improving natural surveillance. The property sited closest to the

B1318 would be the most visually prominent. The lightwell serving this property is sited on its west elevation which assists in reducing the mass and breaking up the front print of this property. The windows proposed at ground floor and first floor further break up this elevation. It is considered that the design approach for this property responds positively to its corner location.

11.29 Each dwelling will have its own driveway to the front of an integral garage and front and rear gardens with sufficient space to accommodate refuse storage. Alterations to the existing stone wall along the northern boundary will be required to provide vehicular and pedestrian access to the dwellings. A condition is recommended to secure details of boundary treatments.

11.30 Due to the separation distance that will exist between the proposed development and the listed building, including the intervening woodland, it is not considered that the setting of the listed building would be significantly affected. No alterations are proposed to the existing stone wall on the western boundary.

11.31 As already discussed, the site lies adjacent to the Green Belt. Given that the site is well screened to the east and south by the existing woodland, it is the view of the case officer that the proposed development would not impact on the openness of the Green Belt.

11.32 Members need to determine whether the impact of the development is acceptable in terms of its impact on the character and appearance of the conservation area, it is acceptable in terms of its design, scale and mass and its impact on the Green Belt. It is officer advice that it is acceptable.

12.0 Impact upon residential amenity

12.1 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should amongst other matters; mitigate and reduce to a minimum potential adverse impact resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

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

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

12.4 LP Policy DM6.1 'Design of Development' of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime

and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces.

12.5 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.

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

12.7 The objections received regarding the impact on residential amenity are noted.

12.8 The proposed development would be constructed on previously developed land. It is sited on a corner plot close to the junction of Sandy Lane and the B1318. The site is enclosed by a stonewall to its north and west boundaries with an access/egress from Sandy Lane. Immediately to the north of the site are two existing residential dwellings, No. 1 The Villas and Roscobie, which directly overlook the site. The remaining properties on Sandy Lane do not afford direct views of the application site. Immediately to the west of the, beyond the B1318, are existing residential dwellings Avonside, Stella Maris, Cherholme, Singapura that afford direct view of the application site.

12.9 The proposed development would be set back from the north and west boundaries of the application site. A separation distance of over 20m would exist between the proposed dwellings and the existing residential dwellings located to the north and west of the site. The properties located to the west of the site would mainly afford views of the property proposed closest to the B1318. The pitched roof over this part of the proposed development would pull away from the western boundary which would assist in reducing its scale and mass when viewed from the west. It is the view of officers that the proposed dwellings, by virtue of their siting, would not significantly affect the outlook from the residential dwellings located to the north and west of the site or the amount of light entering them.

12.10 Windows are proposed to the west elevation of the property sited closest to the B1318. Due to the separation distance that would exist between this dwelling and the existing dwellings to the west of the site, it is not considered that it would significantly affect their privacy.

12.11 The proposed dwellings would afford views to the existing dwellings located to the north of the site. Views from the ground floor window towards the existing dwellings would be partially screened by the boundary treatment. The first-floor windows would serve bedrooms and a gallery/landing area. It is noted that a balcony is proposed to the front of one of the bedrooms. Due to the separation distance that would exist it is not considered that the first floor windows and balcony would significantly affect the privacy of the existing dwellings to such an extent that would sustain a recommendation of refusal.

12.12 A first-floor balcony is proposed to the rear of the dwellings. Due to the positioning of these balconies, it is not considered that the privacy of future occupants would be significantly affected to such an extent that would sustain a recommendation of refusal.

12.13 It is clear from the site layout that each dwelling will have its own private amenity space, parking and sufficient space to accommodate refuse storage. It is considered that the proposed layout would provide future occupants with an appropriate level of residential amenity. A compliance condition is recommended to ensure the properties comply with Policy DM4.9.

12.14 The Manager for Environmental Health has been consulted. She has raised concerns regarding road traffic noise from the B1318 affecting the proposed development.

12.15 No noise assessment has been provided to outline the impact of road traffic noise affecting the site to determine the sound attenuation measures necessary to protect the proposed dwellings. She has also raised concerns regarding the limited screening being provided by the existing wall. Her comments regarding the increase in height of the existing wall is not acceptable and alternative provision within the site will need to be considered. She has recommended a condition requiring a noise assessment to be submitted to determine necessary sound mitigation measures to ensure good standards of internal noise and external gardens meet noise levels for outside spaces.

12.16 The Manager for Environmental Health has recommended further conditions to control the hours of construction and dust suppression measures during construction.

12.17 The NPPF, paragraph 55 states "Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Paragraph 56 states "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects." The NPPF paragraph 185 aims to "avoid noise from giving rise to significant adverse impacts on health and quality of life". The Manager of Environmental Health has clearly set out in her comments that she considers conditions can be imposed to secure appropriate mitigation for future occupants.

12.18 Members need to consider whether the proposed development, including having regard to the advice from the Manager of Environmental Health, would result in an acceptable impact on the residential amenity of existing residents living conditions and future occupants living conditions in accordance with NPPF and LP Policies DM6.1 and DM5.19 and weight this in their decision. Officer advice is that subject to imposing the suggested conditions, the impact on the amenity of existing and future occupants is acceptable.

13.0 Highways

13.1 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.

13.2 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.

13.3 The NPPF paragraph 113 sets out guidance on sustainability and connectivity.

13.4 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.

13.5 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council will ensure that the transport requirements of new development, commensurate to the scale and type of development, are considered and seek to promote sustainable travel to minimise environmental impacts and support resident's health and well-being.

13.6 The Council's maximum parking standards are set out in the Transport and Highways SPD (2022).

13.7 The objections received regarding the impact on the highway network, lack of parking provision, poor traffic and pedestrian safety and poor and unsuitable vehicular are noted.

13.8 Individual vehicular access to each dwelling would be provided from Sandy Lane. The existing stone wall along the northern boundary would need to be altered to accommodate the access/egress points. Each dwelling would have an integral garage with a driveway to front. A total of three parking bays, including the garage, would be accommodated within each plot.

13.9 The Highways Network Manager has been consulted. He has confirmed that parking would be provided in accordance with current standards for each dwelling. No visitor parking is proposed but he considers there is ample capacity on Sandy Lane which is not a through route and is wide enough to accommodate the small number of parked vehicles likely associated with visitors to the proposed dwellings. The site is also within walking distance of local bus services. On this basis, he has recommended conditional approval.

13.19 A further condition is recommended to secure appropriate refuse storage.

13.20 Members need to consider whether the proposed development is acceptable in terms of its impact on highway safety and parking provision. It is officer advice that it is.

14.0 Biodiversity

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

14.2 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.

14.3 Paragraph 179 of the NPPF states that when determining planning applications Local Planning Authority'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.

14.4 LP Policy S5.4 'Biodiversity and Geodiversity' seeks to protect, create, enhance and manage sites within the borough relative to their significance.

14.5 LP DM5.5 'Managing effects on Biodiversity and Geodiversity', amongst other matters, seeks to protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links.

14.6 The objections received regarding impacts on wildlife and trees are noted.

14.7 The Landscape Architect and Biodiversity Officer have been consulted. They have considered the submitted information including a Biodiversity Net Gain Assessment and Metric, Woodland Enhancement Area and Tree Reports.

14.8 The site consists of semi-improved grassland and scrub with several large mature trees and shrubs close to the east and south boundary. The collective trees and tree groups skirting the proposed development form part of a larger woodland area that affords protection by a Tree Preservation Order (TPO) and Conservation Area.

14.9 The consultees have advised that the land surrounding the application site is valuable habitat for wildlife and biodiversity with the trees being the most important feature providing some amenity and screening.

14.10 BNG will be delivered as part of the development through on and off-site habitat creation/enhancements. Habitat creation within the site includes vegetated garden and off-site compensation will be delivered through the enhancement of the existing woodland (0.16 hectares (ha)) adjacent to the site to reach a target of 'fairly good'. The off-site enhancements include removal and management of invasive species, control of public access into the enhancement area by introducing designated paths to reduce trampling, planting of native species-rich mixtures of scrub to increase structure and diversity, introduce a woodland ground flora mix to increase species diversity, creating standing deadwood and log piles.

14.11 The proposed landscaping plan indicates areas of landscaping within the scheme that include privacy hedging between plots, a mixed native hedge to the western boundary, trees and bulb planting to the northern boundary of each garden plot and woodland wildflower seeding to the southern boundaries of each plot.

14.12 There are 18 significant individual trees and one tree group within influence of the site. The proposed development will not require the removal of any trees, but the consultees have advised some ground works are scheduled near the trees and within Root Protection Area's (RPA's). Works within the RPA must employ special construction techniques to minimise disturbance to tree roots. Such measures are detailed in the AMS regarding the installation of drainage and parking provision.

14.13 The application site is 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. However, this application will result in an increase in recreational accommodation, impacts to the designated sites may result from increased recreational disturbance.

14.14 This development will need to comply with the Coastal Mitigation SPD which provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. Natural England have not raised any objection to this application subject to the coastal mitigation contribution being secured, there will be no significant damage or disturbance to the coastal areas. The Council's Biodiversity Officer has not raised any objection to this development in terms of its impact on the Northumbria Coast SPA subject to securing the coastal mitigation contribution.

14.15 The consultees have suggested conditions to appropriately mitigate the impacts of this development regarding its impact on trees and protected species, including lighting conditions.

14.16 Members need to determine whether the development results in significant harm to ecology trees and adjacent woodland. It is officer advice that the development would not result in significant harm.

15.0 Other issues

15.1 Flooding

15.2 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...."

15.3 The objections received regarding inadequate drainage and watercourse are noted.

15.4 The Local Lead Flood Authority (LLFA) has been consulted. They have carried out a review of the surface water drainage proposals. The development would provide surface water attenuation within the site for a 1 in 100 year rainfall event plus 40% increase for climate change via the use of permeable paving and underground storage crates. The proposed surface water discharge rate would be restricted to 2.5 litres/second (l/s) and would discharge into the highway drainage system location on Sandy Lane. Surface water will not discharge into the watercourse located to the south of the site.

15.5 Members need to determine whether the proposed development is acceptable in terms of flood risk and drainage. It is officer advice that it is.

15.6 Ground conditions

15.7 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.

15.8 Paragraph 184 of the NPPF goes onto 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.

15.9 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.

15.10 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.

15.11 The Contaminated Land Officer has been consulted. She has advised that the site is located within close proximity to unknown filled ground and mine workings. It is clear from her comments that conditions can be imposed to deal with ground conditions.

15.12 Archaeology

15.13 Paragraph 205 of the NPPF states “Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”

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

15.15 Previous planning applications have confirmed that there are no archaeological constraints affecting this site.

15.16 Aviation

15.17 Newcastle International Airport has raised no objections to the proposed development. An informative is recommended to advise future occupants of the proximity of the site to the airport.

15.18 North West Villages Sub Area

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

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 Local Planning Authority'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 not designated for a specific use in the LP. Members need to consider whether the principle of the proposal is acceptable. The council does not have a 5-year supply of deliverable housing sites. This proposal would make a valuable contribution towards the requirement for the council to have a 5-year supply of deliverable housing sites. This is a significant material consideration which weighs in favour of the proposal.

17.4 Members need to consider whether the design and layout of the proposal is acceptable in terms of its impact on existing residential dwellings, its impact on the character and appearance of the Sacred Heart Church Conservation Area and the adjacent Green Belt. It is officer advice that it is acceptable.

17.5 Members need to consider whether this development will result in an unacceptable impact on the residential amenity of existing residential dwellings or future occupants having regard to the NPPF and Local Plan Policies DM6.1 and DM5.19. It is officer that it is acceptable subject to imposing the suggested conditions.

17.6 Members need to consider whether this development is acceptable in terms of its impacts on highway safety and whether sufficient parking is provided. It is officer advice that this proposal will provide sufficient parking and will not have an unacceptable impact on highway safety.

17.7 Members need to consider whether this development is acceptable in terms of biodiversity and trees. The development will not significantly impact on the trees or biodiversity. It is officer advice that is acceptable.

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

17.9 It is therefore recommended that planning permission should be granted subject to a Legal Agreement to secure a coastal mitigation contribution and conditions.

RECOMMENDATION: Minded to grant legal agreement req.

It is recommended that:

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:

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,

iii) completion of a legal agreement to secure a financial contribution for the following:

-604.00 pounds towards coastal mitigation.

It is recommended that:

the Committee authorises the Director of Law and Governance and the Director of Regeneration and Economic Development to undertake all necessary procedures (relevant legal agreement) to secure:

-Altered access

-Upgrade of existing footpaths abutting the site

-Associated drainage

-Associated street lighting

-Associated road markings

-Associated signage

-Associated Traffic Regulation Orders

Conditions/Reasons

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

- Location plan 1:1250
- Proposed site layout SA 1 Si1 A
- HT1 ELevations SA 1 HT1.2 A
- HT1 Plans SA 1 HT 1.1 A
- HT2 ELevations SA 1 HT2.2
- HT2 Plans SA 1 HT 2.1

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, prior to the occupation of any dwelling hereby approved the applicant shall enter into an appropriate Legal Agreement with the Council for the following works and agree a timetable for their implementation:

- Altered access
- Upgrade of existing footpaths abutting the site
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated signage
- Associated Traffic Regulation Orders

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

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

4. Notwithstanding Condition 1, no part of the development hereby approved shall be occupied until all new means of access have been sited and laid out in accordance with the approved drawing, Proposed site layout Dwg No. SA1 Si1, and permanently retained and maintained thereafter.

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

5. Notwithstanding the Condition 1, the scheme for driveways, private parking spaces, and garages associated with each dwelling hereby approved shall be laid out in accordance with the approved plan, Proposed Site Layout SA1 Si1, prior to the occupation of each dwelling. These parking areas, driveways and

garages, 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).

6. Notwithstanding Condition 1, prior to the occupation of each dwelling a scheme for the provision of and storage of refuse, recycling and garden waste bins shall be submitted to and approved in writing by the Local Planning Authority. These agreed storage areas and refuse provision shall be provided prior to the occupation of each dwelling and retained thereafter.

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

7. Notwithstanding Condition 1, no 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. Tree protection is to be installed in accordance with the AIA, AMS and TPP. The tree protection fence is to be of a type and height as described in the revised AMS. The area surrounding each tree group within the approved protective fencing shall be protected for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. Photographic evidence is to be submitted on completion of the installation of the fence. 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), to ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity and residential amenity having regard to policies DM5.9, DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

8. Notwithstanding Condition 1, no development shall commence until a condition survey has been carried out on the highway drain from point of connection through to point of discharge and submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Any issues identified shall be resolved by the applicant and/or appointed developer prior to connection from the development.

Reason: This information is required from the outset to ensure that an appropriate drainage connection can be achieved and the development would not increase flood risk having regard to the National Planning Policy Framework (July 2021).

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

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

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

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

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

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

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

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

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the

gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

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

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

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

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

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

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

The Site Investigation report must include the following information:

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

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

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

12. Should the site investigation reports pursuant to conditions 10 and 11 require remediation works, a detailed Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of the development hereby approved above damp proof course level. The remediation method must include phase 1 and 2 reports in accordance with BS10175 risk assessment pre and post remediation scheme. The method statement must specify remediation for each identified contaminants giving installation or construction methods required to break pathway, or specifying disposal; or in situ treatment as deemed appropriate, the handling and disposal of contaminants to prevent spread of contaminants and the critical control checks required to ensure remediation areas, handling and deposition areas and installation drawings of gas protection scheme must be included.

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

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

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

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

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

This report must contain the following:

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

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

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

14. 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.

15. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the

site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

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

16. Prior to the occupation of any dwelling hereby approved a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This noise scheme shall provide details of the window glazing 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. These agreed details shall be implemented prior to the occupation of each dwelling and shall be permanently retained and maintained.

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

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

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

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

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

19. 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).

20. All trees on the site and adjacent to the site are to be retained. No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants of similar size and species. Any retained trees within the application site that die within five years from the completion of the development hereby permitted shall be replaced with a semi mature standard (18-20cm girth) unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

21. The development hereby permitted shall only be carried out in accordance with the Pre-Development BS5837 Arboricultural Implications Assessment (V5 May 2023) incorporating a Tree Protection plan and Method Statement (May 2023), BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'.

Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

22. Prior to any works commencing within the Root Protection Area (RPA) of any retained tree a working method statement shall be submitted to and approved in writing by the Local Planning Authority. The works hereby approved shall be carried out in full accordance with this agreed working method statement. All works within the RPA of retained trees involving excavation of soil, including the installation of all services, drainage, construction for vehicular drives, parking areas, installation of drop kerbs, foundations, lighting and other hard surfacing (for example) are to be installed in accordance with the AMS with all works being undertaken using an air spade or dug by hand with a photographic record of works undertaken (Areas of 'Special No Dig Construction' as defined on the revised TPP).

Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

23. Notwithstanding Condition 1, all groundworks shall follow the Reptile and Amphibian Method Statement set out in Appendix 2 of the E3 Ecology Report (January 2021).

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).

24. No pruning works to any trees shall take place until details have been submitted to and approved in writing. Thereafter these agreed works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

25. Prior to any works commencing on site,

a) details demonstrating that the Developer has engaged the services of an arboricultural consultant shall be submitted to and approved in writing by the Local Planning Authority. This will discharge the pre-commencement part of this condition.

b) Then, within 1 month of the first occupation of the first house to be completed, sufficient written evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction shall be submitted to and approved in writing by the Local Planning Authority. This will discharge the second part of this condition.

The role of the consultant shall be to advise on the tree management for the site and to undertake regular supervision visits to oversee the agreed tree protection and visit as required to oversee any unexpected works that could affect the trees. The supervision is to be undertaken in accordance with the approved Arboricultural Method Statement relating to the development hereby approved. If the appointed consultant changes, then the developer shall provide updated contact details to the Local Planning Authority via the general planning contact email address.

Reason: This information is required from the outset in the interests of biodiversity having regard to policy DM5.5 of the North Tyneside Local Plan 2017.

26. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include a fully detailed planting specification including ground preparation and maintenance. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All new trees

shall be a minimum of 14-16cm girth. 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. No development shall take place until a schedule of landscape maintenance for a minimum period of ten years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

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

27. 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 the off-site woodland compensation area shown on the 'Woodland Enhancement Area' Plan (DWG No: NCL-400-172-02-REV A) and set out in the BNG Report and Biodiversity Metric (Rev 03 Feb 2022), 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 off-site habitats identified within the Biodiversity Net Gain Report/Biodiversity Metric (E3 Ecology Rev03) and how the condition criteria will be met through management;

- A detailed 'Woodland Enhancement Plan' showing the location and extent of areas for habitat creation and enhancement;

- 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;

- The Plan will also include details of the creation of hedgehog/reptile/amphibian hibernacula or habitat piles within the adjacent woodland as set out in the BNG Report

Reason: This information is required within the set timeframe in the interests of amenity and to ensure a satisfactory standard of landscaping and in

the interests of biodiversity having regard to Policies DM6.1, DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

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

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

29. 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).

30. Hedgehog gaps (13cmx13cm) will be provided within any new or permanent fencing or construction phase fencing within the scheme. Locations of hedgehog gaps shall be detailed on fencing plans and submitted to the LPA for approval prior to installation.

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).

31. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 4no. bird boxes to be provided in suitable locations within the development site or in the adjacent woodland, to include 2no. sparrow terraces and 2no. boxes suitable for a range of other species including tits and finches, including specifications and locations, and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bird boxes shall be installed in accordance with these agreed details and permanently maintained and retained.

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

32. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 3no. bat boxes to be provided in suitable locations within the development site or in the adjacent woodland, including specifications and locations, and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat boxes shall be installed in accordance with these agreed details and permanently maintained and retained.

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

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

Reason: In the interest of protecting residential amenity and protecting sensitive habitats within or adjacent to the site having regard to policy DM5.7 and DM5.19 of the North Tyneside Local Plan (2017) and the National Planning Policy Framework.

34. Prior to any works commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority that includes a bat working method statement for any tree felling, a checking survey for any red squirrel dreys or badger setts prior to works commencing and appropriate working methods including pollution control and measures to prevent disposal of waste into the adjacent woodland. Thereafter, the development shall be carried out in accordance with these agreed details.

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

35. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved damp proof course level details of all screen and boundary walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. These details shall include 1.8m high acoustic fencing to be provided on the plot closest to the B1318 to screen road traffic noise. These agreed details shall be implemented prior to the occupation of any residential dwelling and any part of the commercial development. Thereafter, these agreed details shall be permanently retained and maintained.

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

36. 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 surfacing materials (hard surfacing) and external building materials, including doors, windows and rainwater goods 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).

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Part 1 of Schedule 2, within Classes A, B and H of Part 14 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, including the conservation area, having regard to Policies DM6.1 and DM6.6 of the North Tyneside Local Plan (2017).

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

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

Informatives

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

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

CIL information (I50)

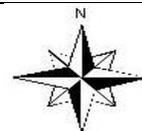
The development hereby approved lies within close proximity to the designated and well-established flightpath from Newcastle International Airport. The airport operates unrestricted, flying 365 days per year, 24 hours per day. The site is also a co-opted military airfield and therefore unrestrictedly accepts military aircraft. Properties contained with the development will be exposed to aircraft noise.



Application reference: 21/01569/FUL
Location: Land At Former School House, Sandy Lane, North Gosforth
Proposal: Erection of 4no detached dwellings. (Resubmission)

Not to scale
 Date: 31.05.2023

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Appendix 1 – 21/01569/FUL Item 2

Consultations/representations

1.0 Ward Councillors

1.1 Councillor Michelle Fox

Historically, residents were assured when the land was purchased that any build would be sympathetic to the design and look of the School House, which was much loved locally, and not extend beyond the footprint of this original dwelling and its cottages. Following a series of fires, the land was cleared and this proposal includes 4 large detached houses, which fill the entire area of the land. The design of the houses is modern and not sympathetic to the area. A good example of where this has been successful is in the recent terraced housing in North Shields along the A193 road, which is aesthetically in keeping with the area's historical buildings and housing. I am not against modern buildings per se, however, in this instance they do feel very incongruous to the residential area, and I am not clear on why this type of design is preferable?

2.0 Internal Consultees

2.1 Heritage and Design

2.2 The application site lies within the Sacred Heart conservation area, near to the grade II listed Sacred Heart church. The conservation area is relatively small and has an undeveloped character, its only buildings being the Church, Parish Hall and Presbytery. The application site is situated in a prominent position at the junction of Sandy Lane and the B1318 and faces onto residential properties, to the rear of the site is an area of dense woodland.

2.3 The proposed application is for the development of 4 detached dwellings, designed with a contemporary architectural approach. An earlier application under 20/01260/FUL was for a similar proposal for 4 detached dwellings. This was not acceptable as the design failed to recognise its surrounding built context and the proposed materials were also considered to be unsuitable. The application was subsequently withdrawn.

2.4 The revised application overcomes the reasons for the previous objections. The contemporary architectural design maintains a relationship to its surroundings through the scale, form and use of materials. There is a mixture of building forms and styles around the site, and they are all unified by pitch roofs which create a visual link between buildings. The proposed application continues this visual link.

2.5 The trees make a significant contribution to the character of the conservation area, and the application outlines that the woodland background is a key driver for the design. The building footprint allows for slot views of the woodland to the rear which is welcomed.

2.6 The success of the proposal will rely on the quality of the materials used and architectural details employed. The proposed materials include red multi-brickwork, render and timber alongside clay roof tiles. This reflects the materials

on the surrounding buildings or where contemporary materials are used, they reflect the colours and tones of existing materials in the local area.

2.7 Overall, the position of the units has been carefully considered to reflect the existing woodland and the design responds to its surrounding built context. The proposed materials are also suitable and would complement the character of the area. The application is acceptable. The following conditions are recommended:

Boundary walls and fences

Materials of construction

Sample of materials

Hard surfacing

Windows and doors

Rainwater goods

2.8 Lead Local Flood Authority (LLFA)

2.9 I have carried out a review of the surface water drainage proposals for planning application 21/01569/FUL, I can confirm in principle that I have no objections to the proposals as the development will be providing surface water attenuation within the site for a 1in100yr rainfall event + 40% increase for climate change via the use of permeable paving and underground storage crates. The proposed surface water discharge rate will be restricted to 2.5l/s and will discharge into the highway drainage system located on Sandy Lane.

2.10 I would recommend that a condition is placed on this application requiring a condition survey is carried out on the highway drain from point of connection through to point of discharge. Condition survey to be provided to LLFA and any issues identified to be resolved by applicant prior to connection from development.

2.11 Landscape Architect and Biodiversity Officer

2.12 Existing Site Description

2.13 The proposed application site is located on the junction of Sandy Lane and the B1318, between Wideopen and Gosforth and is approximately 0.18 hectares in size and is currently vacant. The site is within a central location in North Gosforth close to the main road network of the immediate and wider area. The site is bounded by residential development, the north and west, with the B1318 trunk road delineating its western boundary and the original course of Sandy Lane to the north. A free-standing boundary stone wall with ornamental capstones and pier, contains part of the west site boundary of the proposed development area. This wall structure continues to run the length of the western boundary of the woodland, south to the B1318 and the junction with Sandy Lane. The topography of the site is generally flat and consists of semi-improved grassland and scrub with a number of large mature trees and shrubs close to the proposed south and eastern boundary. The collective trees and tree groups skirting the proposed development form part of a larger woodland area, which is associated with the Sacred Heart RC Church, affording protection both by a Tree Preservation Order (A1) and by its location within the Sacred Heart Conservation Area. The trees within the survey site are a mix of Ash, Sycamore, Lime, Beech and Oak, with sycamore being present in the greatest numbers.

2.14 The following Local Plan policies apply to this application:

Policy S5.4 Biodiversity and Geodiversity
Policy DM5.5 Managing Effects on Biodiversity and Geodiversity
Policy DM 5.9 Trees, woodland and hedgerows
Policy S5.1 Strategic Green Infrastructure
DM5.2 Protection of Green Infrastructure

2.15 The land surrounding the application site is valuable habitat for wildlife and biodiversity. The trees are the most important feature on this site and provide the site with some amenity and screening. Their retention along with the planting of new trees will contribute to the setting of the development and should be an integral part of any new development. Maintaining the existing trees on site will enhance visual and residential amenity, provide biodiversity and environmental benefits and strengthen linkages between adjacent greenspaces and wildlife areas. The presence of the mature trees in the landscape have significant amenity value, and consequently of major importance to the character of the conservation area. Any tree removal either as a result of the development or long-term tree removal, will be harmful to the character of the area.

2.16 Concerns were raised in a previous response (08/07/22) regarding the impacts on trees from the proposed drainage and delivery of biodiversity net gain. The following additional information has, therefore, been provided by the applicant in response to the issues raised:

- Biodiversity Net Gain (BNG) Assessment (Rev 03 Feb 2022) & Biodiversity Metric
- Proposed Landscape Layout (DWG No.SA1 Si2)
- Woodland Enhancement Area' Plan DWG No: NCL-400-172-02-REVA
- Pre-Development BS5837 Arboricultural Implications Assessment (V5 May 2023) incorporating a Tree Protection plan and Method Statement (May 2023)

2.17 Biodiversity Net Gain Assessment and Biodiversity Metric

2.18 The updated Biodiversity Metric (Version V02) indicates that a 13.11% net gain will be delivered as part of the scheme through on and off-site habitat creation/enhancements.

2.19 Habitat creation within the site includes 0.082ha of vegetated garden and off-site compensation will be delivered through the enhancement of 0.16ha (1600sqm) of the 1.3ha of existing woodland adjacent to the site to reach a target condition of 'fairly good'. The location of this woodland enhancement area is shown on the 'Woodland Enhancement Area' Plan (DWG No: NCL-400-172-02-REV A) and the enhancement measures outlined include the following:

- Removal and management of the invasive species.
- Control of public access into the enhancement area by introducing designated paths to reduce trampling.
- Planting of native species-rich mixtures of scrub to increase structure and diversity within the woodland and reduce the area of open space to less than 20%.
- Introducing a woodland ground flora mix to increase species diversity.
- Creating standing deadwood and log piles

2.20 Proposed Landscape Layout

2.21 The 'Proposed Landscape Layout' (DWG No: SA-1-Si2) indicates areas of landscaping within the scheme that include 'privacy hedging' between plots, a mixed native hedge to the western boundary (within the garden curtilage of Unit 4), trees and bulb planting to the northern boundary of each garden plot and woodland wildflower seeding to the southern boundaries of each garden plot. This planting was originally identified as habitat creation/landscaping to help deliver a net gain in accordance with the BNG Assessment but has now been removed from the Metric/BNG delivery as this planting is vulnerable to removal and management could not be enforced. However, this landscaping still adds value to the site and should remain as part of the overall landscape delivery for the site. In addition, an area of woodland (0.16ha) adjacent to the site boundary (identified on 'Woodland Enhancement Area' Plan DWG No: NCL-400-172-02-REVA) is proposed for 'enhancement' to deliver the majority of the 13.11% net gain outlined in the Biodiversity Metric. The enhancement of the adjacent woodland provides a more suitable and sustainable area for net gain delivery.

2.22 Designated Coastal Sites

2.23 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.

2.24 Arboricultural Implications Assessment (AIA)

2.25 This V5 (Version 5) report has been produced to incorporate additional access and protective measures along the sites eastern boundary. This is referenced in section 4.5 'Special Protection Requirements' with further detail contained within section 6 Arboricultural Method Statement (AMS).

2.26 The report now looks to retain T13 with the tree protection plan amended accordingly. The AIA also makes reference to the installation of underground utilities in relation to the retained trees.

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

All trees on the site and adjacent to the site are to be retained. No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants of similar size and species. Any retained trees within the application site that die within five years from the completion of the development hereby permitted shall be replaced with a semi mature standard (18-20cm girth) unless the Local Planning Authority gives written consent to any variation.

The development hereby permitted shall only be carried out in accordance with the Pre-Development BS5837 Arboricultural Implications Assessment (V5 May 2023) incorporating a Tree Protection plan and Method Statement (May 2023), BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'.

Prior to the commencement of any site clearance works (including demolition works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), tree protection is to be installed in accordance with the AIA, AMS and TPP. The tree protection fence is to be of a type and height as described in the revised AMS. The area surrounding each tree group within the approved protective fencing shall be protected for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. Photographic evidence is to be submitted on completion of the installation of the fence.

All works within the RPA of retained trees involving excavation of soil, including the installation of all services, drainage, construction for vehicular drives, parking areas, installation of drop kerbs, foundations, lighting and other hard surfacing (for example) are to be installed in accordance with the AMS with all works being undertaken using an air spade or dug by hand with a photographic record of works undertaken (Areas of 'Special No Dig Construction' as defined on the revised TPP). Confirmation of the proposed working method is to be submitted for approval.

No changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority.

A plan indicating the positions, design, materials and type of any new or altered boundary treatments shall be submitted to and approved by the Local Planning Authority within one month of work starting on site. All works where they impact on the RPA's of retained trees are to be carried out by hand and in accordance with BS 5837:2012 and AMS.

Any pruning works on protected trees shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works, detail of which are to be submitted for approval.

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

Plan and maintained for the duration of the works. Any new kerb edges within the RPA of retained trees are to be constructed using materials and construction methods that minimize excavation depths or other methods to approval.

An arboricultural consultant is to be appointed by the developer to advise on the tree management for the site and to undertake regular supervision visits to monitor and oversee the implementation of the works as set out in the AMS. This condition may only be fully discharged on completion of the development subject to satisfactory written and photographic evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.

Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include a fully detailed planting specification including ground preparation and maintenance. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All new trees shall be a minimum of 14-16cm girth. 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. No development shall take place until a schedule of landscape maintenance for a minimum period of ten years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

Prior to the commencement of any development, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for the off-site woodland compensation area shown on the 'Woodland Enhancement Area' Plan (DWG No: NCL-400-172-02-REV A) and set out in the BNG Report and Biodiversity Metric (Rev 03 Feb 2022), 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 off-site habitats identified within the Biodiversity Net Gain Report/Biodiversity Metric (E3 Ecology Rev03) and how the condition criteria will be met through management;
- A detailed 'Woodland Enhancement Plan' showing the location and extent of areas for habitat creation and enhancement;
- 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;

-The Plan will also include details of the creation of hedgehog/reptile/amphibian hibernacula or habitat piles within the adjacent woodland as set out in the BNG Report.

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

All works will be undertaken in accordance with an approved Construction Environmental Management Plan (CEMP) that includes a bat working method statement for any tree felling, a checking survey for any red squirrel dreys or badger setts prior to works commencing and appropriate working methods including pollution control and measures to prevent disposal of waste into the adjacent woodland. Details of the CEMP shall be submitted to the Local Planning Authority for approval in writing prior to works commencing on site.

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 on site.

4no. bird boxes will be provided in suitable locations within the development site or in the adjacent woodland, to include 2no. sparrow terraces and 2no. boxes suitable for a range of other species including tits and finches. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans on completion of works and permanently retained.

3no. bat boxes will be provided in suitable locations within the development site or in the adjacent woodland. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans on completion of works and permanently retained.

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 (13cmx13cm) will be provided within any new fencing within the scheme. Details of the locations and specification of the hedgehog gaps shall be submitted to the Local Planning Authority for approval within 4 weeks of development commencing on site.

All groundworks will follow the Reptile and Amphibian Method Statement set out in Appendix 2 of the E3 Ecology Report (January 2021).

2.28 Manager for Environmental Health (Contaminated Land)

2.29 The site is located within close proximity to unknown filled ground and mine workings.

2.30 Due to the proposed sensitive end use and the potential for ground gas I recommend that the following conditions be applied:

Con 003

Con 004

Con 005

Con 006

Con 007

Gas 006

2.31 Manager for Environmental Health (Pollution)

2.32 I have concerns with regard to road traffic noise from the B1318 affecting the proposed development.

2.33 No noise assessment has been provided to outline the impact of road traffic noise affecting the site to determine the sound attenuation measures necessary to protect the proposed residential properties. I note that the garden areas are to be provided will be afforded limited screening by the provision of the existing high wall around the site and this may be required to be increased in height to screen road traffic noise. A noise scheme will be required via condition to determine on the sound mitigation measures necessary to ensure good standards of internal noise levels in accordance with BS8233 to give a resultant noise level of below 30 decibels and maximum noise level of 45dB for bedrooms and 35 decibels for living rooms is achieved and external gardens meet the world health organisation community noise level for outside spaces to 50 dB LAeq.

2.34 If planning consent is to be given, I would recommend the following:

Prior to occupation submit and implement on approval of the Local Planning Authority a noise scheme providing details of the window glazing 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.

Prior to occupation, submit details of the ventilation scheme for approval in writing and thereafter implemented to ensure an appropriate standard of comfort to prevent overheating and ensure internal noise levels with windows closed comply with BS8233 and the WHO community noise standards at night namely a minimum of night time equivalent noise level of 30 dB (23:00 hours to 07:00 hours and maximum noise level of 45dB and daytime equivalent noise level of 35dB (07:00 hours to 23:00 hours) in bedrooms and daytime equivalent noise level (23:00 hours to 07:00 hours) of 35 dB in living rooms. Where the internal noise levels are not achievable, with window open, due to the external noise

environment, an alternative 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 to reduce the need to open windows, unless an overheating assessment is provided to verify that there are no overheating risks. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Where an overheating assessment is provided this must be carried in accordance to the current CIBSE guidance. Where the property is subject to a risk of overheating an alternative ventilation or cooling system must be provided that is designed to achieve the levels in the current CIBSE guidance.

Prior to occupation, submit details to the Local Planning Authority for approval in writing of the acoustic screening to be provided to the western boundary of the site to attenuate noise from the B1318, to ensure noise levels achieve the World Health Organisation community noise level for outside spaces to 50 dB. Measures to be implemented and thereafter retained.

HOU04
SIT03

2.35 Highways Network Manager

2.36 This is an application for the erection of 4 detached dwellings. It is a resubmission of a previous application (20/01260/FUL) which was withdrawn by the developer.

2.37 The dwellings will have individual private accesses from Sandy Lane and parking will be provided in accordance with current standards for each dwelling. No visitor parking will be provided, however there is ample capacity on Sandy Lane which is not a through route and is wide enough to accommodate the small number of parked vehicles likely associated with visitors to the four dwellings. Furthermore, the site also has reasonable links to public transport. On balance, conditional approval is recommended.

2.38 Recommendation - Conditional Approval

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

Altered access
Upgrade of existing footpaths abutting the site
Associated drainage
Associated street lighting
Associated road markings
Associated signage
Associated Traffic Regulation Orders

2.39 Conditions:

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

2.40 Informatives:

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

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

3.0 Representations

3.1 38 objections have been received. These objections are set out below:

- Adverse effect on wildlife
- Affect character of conservation area
- Impact on landscape
- Inadequate parking provision
- Inappropriate design
- Loss of/damage to trees
- Nuisance - disturbance
- Nuisance - noise
- Out of keeping with surroundings
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Traffic congestion
- Will result in visual intrusion
- Within greenbelt/no special circumstance
- Inadequate drainage
- Inappropriate in special landscape area
- Inappropriate materials
- Loss of visual amenity
- Affect setting of listed building
- Affect Site of Spec. Scientific Interest
- Inappropriate materials
- Loss of privacy
- Loss of residential amenity
- Loss of visual amenity
- Loss of/damage to trees
- None compliance with approved policy
- Not in accordance with development plan
- Nuisance - dust/dirt
- Nuisance - fumes
- Pollution of watercourse
- Precedent will be set
- We have enough housing being built around the area, and this seems a waste of the land for 4 houses, the plan for a gym facility is much better due to it along something to the local area rather than more of what we already have in the area.

- I strongly object to this proposal to build 4 detached dwellings to land at the rear of former school cottages, Sandy Lane, North Gosforth. This will be on land where the trees with TPO's on them once stood and surrounded the school cottages. The owner has made several applications on this site after the loss of the old school house and cottages through arson and unlawful demolition.

- The last proposal was to build 8 residential letting properties in 2017.

Surprisingly the planning officers at North Tyneside Council recommended that the development should go ahead. However, when the application went to Planning Committee, they unanimously voted to refuse permission to build. The owner then appealed, and the Planning Inspectorate visited the site and area and reached the decision to dismiss the appeal. I find the action of planning officers at NTC extremely worrying because of this.

It appears that they have ignored NTC's own Local Plan and the Conservation Area Appraisal for the Sacred Heart Church, the Council's Design Quality Supplementary Planning Document and the National Planning Policy Framework.

- The statutory definition of a Conservation Area is 'an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance.' The Planning (Listed Buildings and Conservation Areas) Act 1990.

- The site lies within the Sacred Heart Conservation Area designated by the Council. The document for this clearly states 'Whilst it is acknowledged that the derelict site cannot remain in its current state, any proposed development will be subject to intense scrutiny and extremely careful consideration to ensure that it is deemed suitable for this sensitive site and be able to preserve or enhance the character of the Conservation Area.'

- Clearly the proposal of 4 detached houses whose design is outrageous, very modern and is an affront to the Conservation Area and the Grade 2 Listed Sacred Heart Church.

The proposed development is clearly an overdevelopment. There is parking for one car to each of these very large 4/5 bed roomed houses. The Council's own Design Quality Supplementary Planning Document seeks to ensure that the design of new buildings are in keeping with the local character and integrates into a setting. The owner is attempting to cram as many houses as possible into this very small space to make a greater profit to the detriment to the area. Clearly this is the wrong development for this setting. I urge the Council to reject this proposal.

- I strongly object to the application to build 4 detached houses each with 5 bedrooms (20 bedrooms in total) and a parking space for only a single vehicle. This proposal is within the Sacred Heart Church Conservation area and is adjacent to the Sacred Heart Church built in 1835 and is a Grade II listed building.

- The Sacred Heart Church Conservation Area Character Appraisal produced by North Tyneside Council (<https://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/sacred%20heart%20CA%20CA.pdf>) states "any proposed development will be subject to intense scrutiny and extremely careful consideration to ensure that it is deemed suitable for this sensitive site and be able to preserve or enhance the character and appearance of the conservation area."

- The design of these new houses are clearly not in keeping with, nor suitable for, the Conservation Area and do not fit in with the other well-kept residential properties in the vicinity. This current planning application far exceeds the original footprint of the former Old School House that was on the site for over 140 years

until it was burnt down under the management of the current owner. North Tyneside Council insisted any development would not exceed the original footprint of the Old School House and to preserve the character and appearance of this conservation area.

- I also note the perpetual scattergun approach to (re)submissions of plans for unsuitable and overdeveloped buildings by the owner (including gyms, nurseries and oversized housing) over the years, as well as the cynical timing, during the summer holidays, when many residents are away and unable to comment within the short timeframe allowed.

- I appeal to the planners to refuse both this planning application and the second one running concurrently for a commercial property (a gym; 21/01774/FUL).

- Inappropriate plan to develop in a friendly, quiet and neighbourly area.

- I strongly object to this planning proposal, it is an over development for what is a relatively small plot of land. The site is only suitable for 2, maximum 3 detached properties. The application states in the section Biodiversity and Geological that there are no protected or priority species affected by the development, this is not true, the woodland area is a habitat for bats, owls, woodpeckers and the occasional roe deer. Furthermore, in the section Assessment of Flood Risks is the proposal within 20m of a watercourse, the applicant answered no, this is another untruth, as there is a beck within the woodland area.

- The proposed design and materials are not in keeping with residential buildings on Sandy Lane and The Villas. The addition of 4, 4/5 bedroom properties will have a significant impact on vehicles parking on Sandy Lane, as there is inadequate vehicle parking in the design of the properties, resulting in permanent overflow of vehicles parking on Sandy Lane

- Yet again the owner has submitted a plan that is an overdevelopment of this site. With a design that is not in keeping with the surrounding area. Taking into account the history of unsuitable previous applications made by the owner why can't he just do what was agreed by council planning officers after the original building were destroyed by arson. That any development should be on the footprint of the original buildings. This massively oversteps that footprint and is designed to make as much money as possible to the detriment of the site and the surrounding environment. Please just reduce the number of properties planned and build on the footprint.

- The building of 4 large properties within the Sacred Hearts conservation site is wholly inappropriate, completely out of keeping with the surrounding properties which have retained their original looks. They will completely alter the current tree line and once again impact the wildlife in the area.

- The parking provision for such houses is inadequate to say the least and will result in more on street parking in Sandy Lane. I am also against any further impact on trees under a TPO.

- I would also question whether there is actually a need for further dwellings given the massive building programs within the near vicinity.

- I would call on the planning officers and the council to adhere to the directive that any building should be in keeping with the original school house so as to remain in keeping with the Sacred Hearts Church.

- Considering the number of houses proposed for this small area (well beyond the perimeter of the old school house) this should be considered as an over development. The number of houses proposed should be reduced.

- The proposal is likely to increase the number of vehicles. Parking is not adequate and likely to cause parking spillage on to Sandy Lane.

- The character and materials of the proposed buildings are not in keeping with surroundings/ context.
- The ecology report is outdated/ recycled and does not include a lot of flora and fauna in the area.
- There is a small watercourse flowing through the area. This development is likely either to cause flooding or pollute the watercourse.
- New development in the area - North Gosforth Park and Five Mile Park (East Wideopen) have caused ground water to be pumped out for the building work which has resulted in water finding its way across the B1318 and forming a lake which elevated across the old Sandy Lane at certain times.
- Protected trees are more than likely to be removed.
- The elevation will be a visual intrusion for surrounding properties
- The planning officer should take consideration of all comments not just base decisions on building materials.
- The site for these dwellings lies within the Sacred Heart Conservation Area. The proposed houses with their mix of brick, wood cladding and render are in total contrast to the stone gothic styled School House and the Grade Two listed church. These houses will replace the architecturally and historically much-loved building of the Old School House which was lost to arson and unlawful demolition. There appears to be no appreciation of the architectural style and design characteristics of the building that was lost to fire. The Council's own Design Quality Supplementary Planning Document seeks to ensure that the design of new buildings are in keeping with the local character and integrates into a setting. The applicant has failed to respond to the residential characteristics of the surrounding residential developments. After the fire planning officers at NTC made it clear that any proposals for this site should be within the footprint of the old School House and should be no greater in terms of scale, height and massing. The proposal of the 4 detached houses have a combined footprint of 523 square metres. The footprint of the school house was 256 square metres. The proposed 4 dwellings represent a huge 104% increase in footprint size. Then add on parking spaces and gardens to the front and rear of these houses, this is clearly an overdevelopment of the site. The owner is attempting to squeeze as many houses as possible into this very small space to make a greater profit and should not be allowed. There is clear conflict with the requirements of National Planning Policy Framework and NTC's Local Plan and the application should be refused.
- The first application was quite inappropriate for this site and the new revised plans are again inappropriate not only for the site but for the surrounding area.
- I do think any development should be more in keeping with the Old School House – details of which are recorded in the History of the Old School House and Cottage in the Tyne and Wear Historic Environment Records. The core text states: Rare survival in this area of Victorian Gothic Revival dates to circa 1865. 'Revival' in this area is not blessed with many historic buildings which puts extra value on the few that remain. The loss of the Old School House was therefore a very serious local loss to North Gosforth, Wideopen and the surrounding area.
- Some appropriate dwelling for this historic site should be considered and not four unattractive, modernistic, out of character buildings which would be too big for the footprint of the old school house. Also, only one parking space per property would mean more parking in the now busy lane with cars, pedestrians, children, dogs, horses and people walking to schools and employment.

- I would also strongly object to any trees being felled for this application as the wood has a conservation order and is an important part of the wildlife corridor especially now the Government and Councils are asking for and to be planted to help with global warming. It is and has been home for a century or more to nature and many varieties of wildlife and deer and should be maintained and preserved for future generations.

- This is also an oasis for the local residents to filter the noise and pollution from the ever increasing traffic on Sandy Lane and the main road into Wideopen. The traffic on the road at the top of Sandy Lane cul de sac is now threefold since the Five Mile Park was built and will only get worse when the homes on the new sites in Hazelrigg are completed. Also, access to and from the Sandy Lane cul de sac should be considered in the light of the many new developments in the area and, of course, the additional cars associated with the proposed development.

- Why is this land only being used for 4 houses, at least build something that will add to the community in the area, we only have a pub and a Co-Op along this road so rather turning this into more housing (which there's enough being built at the moment) turn it into something people can actually use (gym, shops, entertainment venue etc)

If the land must be used for building purposes it shouldn't be for housing, there's an abundance already.

- My understanding is that any development of the site had to use the existing sandstone blocks from The Old Schoolhouse building, which was destroyed in the fire(s). Unfortunately, the landowner has been allowed to remove the sandstone blocks from the site over a period of time.

4.0 External Consultees

4.1 Newcastle International Airport (NIA)

4.2 The location is outside the airport noise contours, but given that it is an area that experiences noise I would recommend a noise informative is attached to any permission.

4.3 The Northumberland and Newcastle Society (N&N)

4.4 We understand this site has become vacant due to the destruction and demolition of the former school buildings which were a key element in the designation of the Sacred Heart Conservation Area.

4.5 The Sacred Heart Conservation Area Character Appraisal states at para.6.1, page 19:- "the potential redevelopment of this site is a challenge for this conservation area"; and at para 5.5, p18:-"Any proposed redevelopment will be subject to intense scrutiny and extremely careful consideration to ensure it is deemed suitable for this sensitive site and be able to preserve or enhance the character and appearance of the conservation area."

4.6 The Design and Heritage Statement prepared by CEAD Architects to accompany application 20/01260/FUL refers on page 10 to an application 17/01543/FUL which was refused on appeal. This was for eight holiday lets in an L shaped block. The negative points of the plans were highlighted in the refusal as being the location of the hardstanding built into the trees, the visual relationship to the trees and the failure to use the corner to its full potential. Photo 1 on page 8 of the document shows how visually important what happens on the corner will be. These points were stated to have been adopted on page 11 of the

Statement (Concept). The submitted scheme however was for four detached houses, which overcame the objection to the positioning of the area of hardstanding while ignoring in particular the last point concerning the corner treatment. After a negative response to the designs and materials but not to the concept of four detached houses this application was withdrawn, resulting in the current re-submission 21/01569/FUL. This redesigns the house types but does not address the previous requirement concerning the potential for the corner treatment. If it was considered to be of importance then, what has changed so that it is no longer considered a valid design element in the conservation area.

4.7 The N&N considers the designs of both applications are fair examples of modern design with similarities in the use of steep pitched roofs, the breaking down of the massing and the angled orientation towards Sandy Lane. Neither is considered to address the challenges of this sensitive site, which were acknowledged in the Council's documentation. The designs of the houses are repetitive and perhaps too many to achieve an appropriate treatment of the site. Both applications ignore the previously acknowledged importance of the corner site and the elevation to the B1318 road. The N&N considers it preferable for houses to be built on the site and would seek an amendment for an individual house at the corner would be more likely to address the issue satisfactorily. We do not support construction of a gymnasium but if this option were to be approved further consideration should be given to the orientation of the building and the location of the car parking.

4.8 Newcastle City Council

4.9 The application has been reviewed and is not considered to prejudice the interests of the City.