

ADDENDUM 13.10.23

Item No: 1

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|------------------------|-----------------------|--------|---------------|
| Application No: | 20/01435/FULES | Author | Julie Lawson |
| Date valid: | 2 October 2020 | : | |
| Target decision date: | 22 January 2021 | ☎: | 0191 643 6337 |
| | | Ward: | Killingworth |

Application type: Full application with Env Statement

**Location: Land at Killingworth Moor Killingworth Lane Killingworth
NEWCASTLE UPON TYNE**

Proposal: Full planning application for the phased construction of 539 residential dwellings with means of access, landscaping, open space, sustainable drainage, public rights of way diversion and associated infrastructure

Applicant: Bellway Homes Ltd (North East) And Banks Property Ltd, C/O Agent

Agent: Pegasus Group, Chris Martin Gainsborough House 34-40 Grey Street Newcastle NE1 6AE

RECOMMENDATION: Minded to grant legal agreement req.

1.0 Further comments

Further comments from Biodiversity Officer regarding Brenkley off site compensation land

Brenkley Off-Site Compensation Land Plan & Soil Analysis Report

The loss of arable land associated with the scheme will impact farmland birds, specifically key ground nesting species such as skylark and lapwing, which cannot be adequately mitigated on-site. As a result, off-site compensation at the recently restored Brenkley Colliery site in Northumberland has been proposed to address these impacts with proposals to enhance the existing land and build additional capacity for farmland birds at the site. This site is approximately 23ha in size and forms part of a wider compensation strategy approach that has been developed for the whole of the Killingworth Moor strategic site, as agreed with NTC, for farmland bird mitigation/compensation. This is as set out in the previously submitted Killingworth Moor-Ground Nesting Bird Compensation – Design Principles Document Jan 2022 (prepared by BSG).

A 'Management Plan for Off-Site Compensation Land at Brenkley Surface Mine' (BSG September 2023) and accompanying Soil Analysis Report have

been submitted which outline details of habitat creation and enhancement proposals for farmland birds along with details of long-term management and monitoring to ensure the habitats are successful in delivering this compensation. The proposed site is located at Brenkley Colliery in Northumberland approximately 9km from the development site and 3km from the Local Authority boundary and will provide measures to build capacity within the site in the long term for farmland birds. This includes 15m wide species rich field margins, a beetle bank, hedgerow creation and enhancement around field boundaries, skylark plots in the retained arable fields, provision of fallow land each year, creation of a 6ha species rich wildflower meadow, enhancement of an existing species poor grassland field and creation of small damp scrapes for waders. Further detail was requested by the LPA in relation to the conversion of the current 6ha arable field to species rich grassland to ensure this proposal was realistic and achievable. Arable fields are often high in nutrient levels as a result of crop production, particularly phosphate(P) levels, and this can make the conversion of this type of land to species rich grassland difficult or unsuccessful. The applicant has therefore submitted soil analysis details undertaken on the arable fields which assesses nutrient levels within the soils ('Soil Resource Survey Report' Wardell Armstrong Sept 2023 V2) and indicates that available P levels are relatively low (index of 0-1) across the site and are within suitable limits to enable the conversion of the arable field to species rich grassland. The general objectives and farmland bird measures proposed within the Plan are considered acceptable, however, the full detail and methods of habitat creation, management and monitoring are crucial to the outcomes and success of the project and therefore a final version of the Plan will need to be submitted via S106 legal agreement for approval.

2.0 Additional comments from Killingworth Village Residents' Association

1. Why are individual room sizes not shown on the uploaded house plans? These all need to be confirmed to ensure they conform with NDSS.
2. Why does a key environmental impact report rely on 6 year old data? A thorough new one must be carried out before any work can be considered.
3. The Masterplan states that "Moorfield Drive will not be accessible for through-traffic from Phase 2 onwards." (p.33). Is this still the case? If so, what constitutes Phase 2 and what is its anticipated start date?
4. What specific measures will be taken to reduce traffic on Clousden Hill and West Lane?
5. The Transport chapter contains factual errors regarding width of footway and speed limits. Have these inaccuracies informed the decision making process? How can we be sure other errors do not exist?

6. How will vehicles access the site during the construction phase and what routes will be permissible? How will local people be involved in these decisions and how will they be monitored?

3.0 One further representation from Killingworth Village Residents' Association

I was amazed to find, when double-checking my references to reply to your enquiry, that a further 31 documents were uploaded today, 12 October 2023. I would like this to be drawn to the attention of the planning committee. I have not had a chance to look at them all yet but hope to before Tuesday's meeting. I assume all the relevant officers have had a chance to see them?

The document to which I referred is the Arboricultural Impact Assessment. It was originally uploaded in May 2023 (dated March 2023) and is also one of the 31 uploaded today! It uses the same data (from August 2017) but now states that even more tree groups and hedgerows will be impacted: see para 3.2 which now includes tree group 58 and hedgerow 40 which were not listed in the March 2023 version! The front page of the latest version is dated September 2023. However, from page 18 onwards, the content is from August 2017. This is also clear from the main index which states that Appendix 3 of the report is a tree survey from August 2017.

Extract from part of report dated September 2023 below:

"1.2 A pre-development survey of trees on the site was undertaken by All About Trees in August 2017 and a pre-development tree report was produced for the wider area. This Arboricultural Impact Assessment has been prepared to further inform the development process. This report has been undertaken by Andrew Elliott of Elliott Consultancy Ltd.

1.3 Scope of the report: This report considers tree data previously produced by All About Trees to provide further arboricultural information and advice in relation to the proposed re-development of the site. **It does not reassess the condition, retention values, or information previously supplied, but concentrates solely on the potential impacts of the proposals on the present tree stock.** [my emphasis]

In other words, although the latest layout may have been considered, the state of the trees and hedgerows is now over 6 years out of date.

4.0 One further representation from a resident:

I have to strongly disagree with the conclusions of the NTC Highways report for the Killingworth Moor Development 20/01435/FULES published on the planning portal on 05/10/2023. Section 2.10 states "*It is considered that the impact of the development on the local highway network will not be severe*

with the off-site mitigation proposed and implementation of the measures to promote sustainable transport". In relation to the Killingworth Road/Village area this is in direct contrast to what the developer's data actually shows and is a clear distortion of the truth. The impact will be severe and the off-site mitigation most probably totally ineffective. For a NTC Officer to state this I find quite disgraceful and I would hope that the actions of the Highways department throughout this whole process bring a genuine sense of discomfort to those within the wider NTC and supporting organisations and believe that a fully independent review into this element of the application is warranted.

5.0 Clarification points

5.1 Paragraph 12.14 refers to the road links through the existing estate to the proposed development. It states that there are no vehicular connections through from the east to Sandstone View or adjacent to Nos 22 and 45 Moorfield Drive. However it should be clarified that there is a pedestrian and vehicular connection through for 15 properties by Nos. 22 and 45. However there is no through route for a road through to the main link road to Great Lime Road at that point.

5.2 Paragraph 19.12 and page 62: the sustainable transport contribution is £1,177,076 not £1,177,706.

5.3 Paragraph 12.17 and conditions 8 and 65 refer to the implementation of the site access to Great Lime Road prior to the occupation of 32 dwellings. The applicant has requested this be amended to 78 dwellings. They refer to the report which considers the interim impacts on the B1317 Killingworth Lane for both Phase 1 North & South (dated 5th July 2023) and state that this report concludes that at the end of year 2 (estimated 78 occupations accessing via Moorfield Drive) and at the end of year 4 (estimated 160 occupations accessing via Moorfield Drive), the level of traffic generated on the B1317 Killingworth Lane between the West Lane and Moorfield Drive junctions is low and can be readily accommodated on the local road network. They therefore have requested the trigger to deliver the site access from Great Lime Road to be 78 occupations. The Highway Network Manager has advised no objections to this.

6.0 Plans:

6.1 Updated plans have been submitted to show previously agreed amendments to the spine road widths, internal estate road widths, swales and a change to the location of a visitor parking bay. This has been done to ensure a full set of consistent plans. The LPA did not consider that further consultation is warranted and there was also no requirement for an update to the Environmental Statement.