

ADDENDUM 10.01.24
Item No: 2

Application No:	19/01095/FULES	Author	Julie Lawson
Date valid:	13 August 2019	:	
Target decision date:	3 December 2019	☎:	0191 643 6337
		Ward:	Killingworth

Application type: Full application with Env Statement

Location: Land Off Killingworth Lane Killingworth

Proposal: Hybrid application comprising: Full planning permission for the change of use of agricultural land and development of 432 no. residential dwellings (including affordable housing), highway improvements and associated infrastructure and engineering works, creation of a new access from the A19 Interchange, SUDS, landscaping and open space, and other ancillary works. Outline planning permission with all matters reserved except access for the change of use of agricultural land and development of 118 no. residential dwellings (including affordable housing), residential development of High Farm with 6 no. new dwellings, associated infrastructure and engineering works, landscaping and open space, and other ancillary works.

Applicant: Northumberland Estates, Mr Guy Munden Quayside House 110 Quayside Newcastle NE1 3DX United Kingdom

RECOMMENDATION: Minded to grant legal agreement req.

Killingworth Village Residents' Association have submitted the following with regards to their speaking request:

After hearing our response, you will have noted that we have several questions that we would like answered by the developer and/or officers. We would be most grateful if you were able to ask these on our behalf. Thank you.

1. This application was first submitted in 2019. Given the delay (mainly caused by changes to the application, of the 1077 documents on the system, 453 have been superseded!) and the likely upturn in the market, why not postpone a decision until the agreed affordable housing can be provided?
2. Why don't the houses conform to the Nationally Described Space Standards? – current descriptors make 189 of them counter to the Local Plan (DM4.9).

3. Why does a key environmental impact report rely on old data, when the report itself explicitly states that it can only be relied on for 1 year? A thorough new one must be carried out before any meaningful decisions can be made.
4. Exactly where is the 50m buffer less than 45m? There are inconsistencies regarding this and the reasons for it being too small.
5. What specific measures will be taken to reduce traffic on Clousden Hill and West Lane – both during and after construction?
6. Why do the proposals include a road heading North to the East of the A19? – this penetrates a significant distance into a Green Belt area for no clear purpose.

Additional condition requested by Biodiversity Officer:

Any changes to landscaping and habitat delivery associated with the outline application, as shown on the Landscape Strategy (DWG No: NT14329/001 Rev N) and detailed within the Biodiversity Net Gain Report and Metric 4.0 and associated UKHAB plans (BSG Ecology/Biodiverse Consulting October 2023), will require an updated Biodiversity Metric and BNG Assessment to be submitted to and approved in writing to the Local Planning Authority, including baseline and post development metric information and UK HAB plans for the scheme to ensure the level of net gain provided on-site for the whole development scheme is not less than the level approved as part of the application (0.18% Habitat Units).

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).

Additional information

Paragraph 19.18 lists the S106 requirements that has been agreed with the applicant. The following should be added to this list:

- Up to 10% affordable housing subject to the council investing in the delivery of the A19 interchange improvements via CIL.

As a point of clarification further to paragraphs 19.17 and 19.27 members should understand that up to 10% affordable housing would only be delivered if CIL contributions are received from this development and application 20/01435/FULES. An additional CIL amount may be used from the existing CIL receipts. This would cover up to 80% of the works. The receipt of CIL is dependent on planning permission being granted for these two applications and those schemes being implemented. There is no certainty at this time of the CIL receipt being available. CIL is paid in instalments therefore the percentage of affordable housing being delivered would be dependent on the amount of CIL received. The element of uncertainty should be reflected in the weight attached to the delivery of up to 10% affordable homes.

Revised recommendation:

It is recommended that:

- a) *the Committee indicates that it is minded to grant the application; and*

- b) *the Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:*
 - i) *the conditions set out in the planning officers report;*
 - ii) *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 under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:*

-Primary education £933,900

-Sports pitch £182,535

-Built sports £225,002

- Sustainable transport - £846,072

-Coastal Mitigation £83,956. This contribution complies with the requirements derived from the Coastal Mitigation SPD.

-Travel Plan Sum £154,568. This contribution complies with the requirements derived from the Transport and Highways SPD.

- £1,000 per year for 5 years for Travel Plan monitoring after final occupation in accordance with North Tyneside Travel Plan guidance.

- Up to 10% affordable housing subject to the council investing in the delivery of the A19 interchange improvements via CIL.

iv) Members are requested to authorise the Head of Law and Monitoring Officer and the Director of Regeneration and Economic Development to undertake all necessary procedures (Section 278 Agreement) to secure the following highway improvement works:

Site Access South

Site Access North

Killingworth Way, Northgate & Greenhills

Killingworth & Way Station Road

Permission is also sought that the Head of Law and Monitoring Officer be authorised to undertake all necessary procedures to obtain the diversion & extinguishment of the existing rights of way & footpaths necessary to facilitate the development under Section 257 of the Town and Country Planning Act 1990