

Application No: 19/01075/FUL

Author: Maxine Ingram

Date valid: 7 August 2019
Target decision date: 2 October 2019

☎: 0191 643 6322
Ward: Longbenton

Application type: full planning application

Location: Woodlands, Killingworth Drive, West Moor, NEWCASTLE UPON TYNE, NE12 7ES

Proposal: Erection of a new dwelling (two storeys) - Amended description and plans 11.11.2019

Applicant: Mr & Mrs William Humphrey, Woodlands Killingworth Drive West Moor
NEWCASTLE UPON TYNE NE12 7ES

Agent: BW Architecture, Mr Brian Wood 104 Great Lime Road Westmoor
Newcastle Upon Tyne NE12 7DQ

RECOMMENDATION: The Committee is recommended to indicate that it is minded to grant this application subject to an Unilateral Undertaking being agreed under Section 106 of the Town and Country Planning Act 1990. Members are also recommended to grant delegated authority to the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;
-Coastal Mitigation contribution.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

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

- Principle of the development;
- Impact on amenity (visual and residential);
- Impact on highway safety; and
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this

application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The site to which this application relates is part of the rear garden serving Woodlands. This property has large garden areas to its front and rear with a number of mature trees bordering the perimeter areas of the front garden and driveway. A number of trees are protected by a Tree Preservation Order (TPO). The rear garden comprises of mainly open lawn areas with a row of mature conifers sited along its south western boundary, including a semi-mature Horse Chestnut to the southern end of the conifers and a Sycamore to the north. The rear garden lies adjacent to Reynolds Avenue; separated by a brick wall.

2.2 The rear gardens of Nos. 36 and 38 Whitecroft Road and part of the rear garden of No. 40 Whitecroft Road border the north west boundary of the application site.

2.3 No. 40 Reynolds Avenue is located to the south west of the application site. Its front garden borders the application site.

2.4 The rear garden serving Hawthorn Lodge borders the north east boundary of the application site.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the erection of a four bed, two storey dwelling. The proposed dwelling will be sited in part of the rear garden serving Woodlands. Access to the proposed dwelling will be from Reynolds Avenue.

4.0 Relevant Planning History

4.1 90/00798/OUT – Erection of two bungalows – Refused 27.04.1990

4.2 Reason for refusal:

The construction of two dwellings on this constructed site would be detrimental to the amenity of the area due to the adverse effect on protected trees and would be detrimental to the amenity of adjoining residents by adversely affecting privacy. Vehicular access to Reynolds Avenue would be prejudicial to road traffic safety due to the proximity of road junction and sharp bend with consequently limited visibility.

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)

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

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining

development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

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

- Principle of the development;
- Impact on amenity (visual and residential);
- Impact on highway safety; and
- Other issues.

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

8.0 Principle of development

8.1 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the LP predate the publication of the revised NPPF however, it is clear from paragraph 213 of the NPPF that: "However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)." The council considers that, as the plan is very recent, the local plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.2 The National Planning Policy Framework (NPPF) states that at the heart of the Framework is a presumption in favour of sustainable development running through both plan-making and decision taking. For decision taking this means approving development proposals that accord with an up-to-date 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.

8.3 To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed. In order to achieve this objective Government requires local planning authorities to identify annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 5% to ensure choice and competition in the market for land. Where there has been a significant under delivery of housing over the previous three years, the buffer should be increased by 20%.

8.4 The underlying principle of national policy is to deliver sustainable development to secure a better quality of life for everyone now and future generations. This principle is key to the role of the planning system in the development process. The aims of how the Local Plan contributes towards achieving sustainable development for North Tyneside are set out under Policy S1.1 'Spatial Strategy for Sustainable Development'. This policy sets out the broad spatial strategy for the delivery of the objectives of the Plan.

8.5 Strategic Policy S1.4 'General Development Principles' states that proposals for development will be considered favourably where it can be demonstrated that they would accord with strategic, development management and other area specific policies in the Plan. Amongst other matters, this includes: taking into account flood risk, impact on amenity, impact on existing infrastructure and making the most effective and efficient use of land.

8.6 The overarching spatial strategy for housing is to protect and promote cohesive, mixed and thriving communities, offering the right kind of homes in the right locations. The scale of housing provision and its distribution is designed to meet the needs of the existing community and to support economic growth of North Tyneside. Strategic Policy S4.1 'Strategic Housing' sets out the broad strategy for delivering housing.

8.7 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 through the Development Management process and application of the policies of the Local Plan.

8.8 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole; or
- b. Specific policies in the NPPF indicate that development should be restricted."

8.9 The LP specifically allocates sites to meet the overall housing needs and identifies those with an existing planning permission. This site is not identified for any purpose in the LP. Therefore, Policy DM4.5 is relevant to assess this application.

8.10 LP Policy DM4.5 Criteria for New Housing Development states: "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 and attractive and diverse communities; and,
- g. Demonstrate that they accord with the policies within this LP.”

8.11 The objections received regarding the principle of a residential development on this site and the previously refused planning are noted. However, each application must be assessed on its own merits and considered against the most relevant planning policies which in this case is the NPPF (February 2019) and the council’s Local Plan (LP).

8.12 As already discussed, this site has no specific designation in the LP. This site sits within a wider residential area and local amenities are accessible, within one mile of Great Lime Road and one and half miles of The Killingworth Centre. Members need to determine whether the principle of this proposed development is acceptable. It is officer advice that the principle of the development is acceptable, subject to all other material planning considerations set out below being addressed.

9.0 North Tyneside Council Housing Land Supply

9.1 Paragraph 73 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and maintain a rolling five-year supply of deliverable housing land. This includes an additional buffer of at least 5%, in order to ensure choice and competition in the market for housing land.

9.2 The most up to date assessment of housing land supply informed by the March 2019 five-year Housing Land Supply Summary identifies the total potential five-year housing land supply in the borough at 5,396 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a surplus against the Local Plan requirement (or a 6.1 year supply of housing land). It is important to note that this assessment of five-year land supply includes just over 2,000 homes at proposed housing allocations within the Local Plan (2017).

9.3 Although the Council can demonstrate a five-year supply of deliverable housing sites, this figure is a minimum rather than a maximum. Further planning permissions that add to the supply of housing can be granted which add to the choice and range of housing.

9.4 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.

10.0 Impact on amenity (visual and residential)

10.1 Paragraph 124 of the NPPF recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable

development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 Paragraph 127 of the NPFF states that decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.3 Paragraph 130 of the NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

10.4 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 the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate:

- a. A design responsive to landscape features, topography, wildlife habitats, site orientation and existing buildings, incorporating where appropriate the provision of public art;
- b. A positive relationship to neighbouring buildings and spaces;
- c. A safe environment that reduces opportunities for crime and antisocial behaviour;
- d. A coherent, legible and appropriately managed public realm that encourages accessibility by walking, cycling and public transport;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces.”

10.5 LP DM5.9 Trees, Woodland and Hedgerows seeks to protect existing landscape features. Amongst other matters this includes: protecting and managing existing woodland, trees, hedgerows and landscape features and securing new tree planting and landscaping schemes. This policy makes it clear that the council’s preference is towards native species of local provenance and securing appropriate management.

10.6 The Council's Design Quality SPD encourages innovation in design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated. It also states that all new buildings should be proportioned to have a well-balanced and attractive external appearance.

10.7 Local Planning Authorities have the option to set additional technical requirements exceeding the minimum standards set by Building Regulations in respect of access and water efficiency, and a Nationally Described Space Standard (NDSS). In this context, access relates to how people access and use a dwelling and its facilities and for space, this relates to the internal space of a dwelling. During the preparation of the LP work was undertaken to establish whether there was a need to implement these higher standards in North Tyneside. The evidence concluded that there was a need, in terms of the optional standards relating to access and internal space, to introduce these higher standards. These standards are set out in Policy DM4.9 'Housing Standards' of the LP.

10.8 LP "Policy DM4.9 Housing Standards" states "To ensure that new homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1 October 2018 the following standards will apply, subject to site viability:

Internal Space in a Home

d. All new homes, both market and affordable, will meet the Government's Nationally Described Space Standard (NDSS)."

10.9 The objections received regarding the design, layout (including loss of trees), overdevelopment and impact on residential amenity (including noise during construction) are noted.

10.10 Plot subdivision is the development of one or more separate dwellings within the curtilage of an existing property. It can provide a useful source of additional housing land but only where there is not a significant adverse impact on the character of the area or the amenity of existing houses. Not all large gardens are suitable for development.

10.11 The proposed dwelling will be sited in part of the rear garden serving Woodlands. It will front onto Reynolds Avenue and garden areas will be located to the rear and south east of the proposed dwelling. Parking provision is proposed in the north west corner of the site. A 1.8m high timber fence will separate the proposed dwelling from Woodlands. It is clear from the submitted site plan that the site can accommodate the proposed dwelling without resulting in an unacceptable reduction of outdoor amenity to Woodlands.

10.12 The proposed dwelling be sited approximately 4m from the proposed shared boundary with Woodlands. The proposed ground floor windows to rear will serve a lounge and dining room. The proposed first floor windows to rear will serve bedrooms and a landing. The proposed boundary treatment will restrict the views from the proposed ground floor windows into the rear garden of Woodlands. The proposed first floor bedroom windows will overlook the rear

garden of Woodlands. However, these windows will not overlook the rear garden immediately to the rear of this property nor will they impact on the front garden serving this property which will remain private. On balance, it is not considered that this development will result in an unacceptable loss of privacy, outlook, space or overshadowing to Woodlands.

10.13 The proposed dwelling will be sited approximately 18m from the shared boundary with Hawthorn Lodge. Taking this separation distance into consideration, it is not considered that the proposed first floor rear windows will significantly impact on the residential amenity of this neighbouring property's privacy to such an extent that will sustain a recommendation of refusal.

10.14 The proposed dwelling will be located to the south east of No. 36 Whitecroft Road. This property has previously been extended, including a single storey rear extension (15/01015/FULH). Based on the information provided, the proposed dwelling will be sited approximately 8m from this shared boundary. There are no first-floor windows proposed to the gable of the dwelling. The patio doors proposed to the ground floor gable (north west) will accommodate a lounge. Views from these doors into this neighbouring property will be obscured by the existing boundary treatment. Taking into consideration the separation distance that will exist between the proposed dwelling and this neighbouring property, it is not considered that it will significantly impact on its residential amenity, including loss of light, loss of privacy and outlook, to such an extent that will sustain a recommendation of refusal.

10.15 The proposed dwelling will be located to the north east of No. 40 Reynolds Avenue. The rear garden, currently serving Woodlands, lies adjacent to the front garden serving this neighbouring property. Based on the submitted site plan, the garden area to the south east of the proposed dwelling will lie adjacent to most of this shared boundary. Therefore, this impact is not considered to be significantly greater than that experienced at present. The proposed dwelling will overlook part of this neighbour's front garden. However, it is not considered that the part of the front garden that will be overlooked, will significantly impact on the residential amenity of this neighbouring property to such an extent that will sustain a recommendation of refusal.

10.16 The proposed dwelling will be separated from No. 33 Reynolds Avenue by the existing estate road. On balance, it is not considered that the proposed dwelling, in particular the first-floor front bedroom windows, will significantly impact on the residential amenity of this neighbouring property to such an extent that will sustain a recommendation of refusal.

10.17 Obscure views from the proposed first floor rear bedroom windows over the rear gardens serving the residential properties to the north east of the site will be afforded. However, it is not considered that this impact will be significant to such an extent that will sustain a recommendation of refusal.

10.18 The proposed layout and outdoor amenity space to be provided will be sufficient for future occupants. A condition is recommended for the proposed development to comply with the housing standards set out in Policy DM4.9.

10.19 The objections received regarding precedent are noted. Any future applications for similar proposals within the vicinity of this will need to be considered on their own merits. It is considered that the application site, Woodlands, differs to the properties located immediately to the north as their rear gardens are bound by other rear gardens. In this case, it is the view of officers, that the proposed dwelling should be designed to be more in keeping with the properties of Reynolds Avenue, as its frontage will form part of this street scene. The location of the proposed dwelling does not relate to the street scene to the north of Woodlands along Killingworth Drive.

10.20 Reynolds Avenue and the surrounding streets (Harriot Drive and Whitecroft Road) are characterised by two storey, hipped roofed, semi-detached properties. These properties are render finished and accommodate projecting bay windows. The properties to the north of Woodlands fronting onto Killingworth Drive vary in terms of their design, bulk and mass. The applicant has amended the design of the proposed development so that it is more akin to the visual appearance of the properties sited on Reynolds Avenue. Albeit, the proposed dwelling is detached, it accommodates a hipped roof and a projecting ground floor bay window to front. This design approach is considered to be more in-keeping with the street scene of Reynolds Avenue. The property will also be render finished. A condition is recommended to secure the final details of the proposed materials.

10.21 The scale, height and massing of the proposed dwelling is considered to be sympathetic to the properties of Reynolds Avenue. The objections raised that the loft space could be used to provide further accommodation is noted. A condition is recommended to remove permitted development rights for extensions and roof alterations.

10.22 On balance, it is the view of officers that the chosen design approach is not considered to detract from the character or appearance of the immediate street scene.

10.23 The objections received regarding the impact on trees, the impacts on wildlife and the lack of surveys are noted.

10.24 The proposed development will require the removal of several mature conifer species. It is important to note that these trees are not protected, and they are not located within a conservation area; therefore, they could be removed at any time without any consent required from the Local Planning Authority (LPA). Furthermore, the rear garden comprises mainly of a lawn and the application site is not located within a wildlife corridor.

10.25 The Council's Landscape Architect has been consulted. She has advised that the conifer species (Lawsonia) is a fairly common species planted principally for the qualities they offer as screening and amenity, but in time can become problematic in the size and scale they can eventually grow in a relatively short time period. She has advised that, in this case, there is no objection to the removal of the conifer trees, and it appears that the footprint of the proposed dwelling will not impact on the protected trees located to the south east of the site. Albeit, this information has not been submitted, she has recommended conditional approval.

10.26 LP Policy DM7.9 'New Development and Waste' states "All developments are expected to:

- a. Provide sustainable waste management during construction and use.
- b. Ensure a suitable location for the storage and collection of waste.
- c. Consider the use of innovative communal waste facilities where practicable."

10.27 The proposed layout demonstrates that bin storage can be accommodated within the site.

10.28 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should amongst other matters; mitigate and reduce to a minimum potential adverse impacts resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

10.29 LP Policy S1.4 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.

10.30 LP Policy DM5.19 Pollution states: "Development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity....."

10.31 The NPPF, paragraph 54 states "Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Paragraph 55 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 180 aims to "avoid noise from giving rise to significant adverse impacts on health and quality of life". The council's Environmental Health Officer has been consulted. It is clear from the environmental health comments that appropriate mitigation to reduce the impacts arising from noise during construction can be secured by conditions.

10.32 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity and visual amenity. It is officer advice that the proposed development is acceptable in terms of its impact on the amenity of existing and future occupants of neighbouring and nearby properties and the character and appearance of the immediate street scene, subject to the imposition of the suggested conditions. As such, it is officer advice that the proposed development does accord with the advice in paragraph 180 of the NPPF and LP policies DM5.19 and DM6.1.

11.0 Highways

11.1 NPPF recognises that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives.

11.2 Paragraph 108 of NPPF states that when assessing sites for specific development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and,
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

11.3 Paragraph 109 of NPPF states 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.

11.4 Paragraph 110 of NPPF: Applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

11.5 Local Plan Policy DM7.4 (New Development and Transport) states that the Council and its partners will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents health and well-being.

11.6 The Council's maximum parking standards are set out in LDD12.

11.7 Objections have been received regarding the impact of the proposed development on highway and pedestrian safety and the loss of the K2 bus service are noted. The Local Planning Authority (LPA) does not have any evidence that the K2 bus service will not operate if this development were to be approved.

11.8 The Highways Network Manager has been consulted. He has advised that parking provision has been provided in accordance with the council's maximum

standards set out in LDD12. He has not raised any concerns regarding the impact of this development affecting highway or pedestrian safety pre or post construction.

11.9 The site is not accessed via a trunk road nor classified road but via an established residential street. Whilst it is acknowledged that the access is located near to a sharp bend, the site is a single dwelling on the outside of the bend where speeds of vehicles will be low due to the nature of the highway layout and there has to be an assumption that motorists will be taking reasonable care for the road layout and conditions. There are no reported injury accidents in this area on the Tyne and Wear accident data base, so any road safety issue is perceptive rather than actual. If an access via Killingworth Drive had been put forward by the applicant, this would have been considered on its own merits, but the final recommendation set out by the Local Highway Authority is based on the current application as submitted. The previous application for two bungalows was determined in the early 1990's prior to more recent legislation such as Manual For Streets I & II and would have been considered by the highways officer at the time on the plans submitted.

11.10 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network and existing parking provision. It is officer advice that it is. The proposed development accords with both national and local planning policies.

12.0 Other Issues

12.1 Coastal Mitigation

12.2 The Coastal Mitigation SPD enables the council to adequately protect European sites and be compliant with its duties under the Conservation of Habitat and Species Regulations 2017, and the requirements of the NPPF. The application site is located outside of the 6km buffer therefore it is subject to the lower coastal mitigation tariff.

12.3 Natural England have been consulted. No objections have been raised, as the applicant will enter into a Unilateral Undertaking to secure the coastal mitigation contribution.

12.4 Drainage

12.5 The applicant has advised that surface water and foul from the proposed development will connect to the existing mains.

12.6 Northumbrian Water has been consulted. They have recommended conditional approval.

12.7 Members need to determine whether the proposed development is acceptable in terms of flood risk. It is officer advice that it is and it would accord with both national and local planning policies.

12.8 Ground conditions

12.9 Paragraph 178 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.

12.10 Paragraph 179 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.

12.11 Local Plan Policy DM5.18 Contaminated and Unstable Land sets out guidance on these constraints.

12.12 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.

12.13 The Contaminated Land Officer has been consulted. She has recommended conditional approval.

12.14 The Coal Authority has been consulted. They have confirmed that the application site is not located within a coal referral area.

12.15 Members need to consider whether the proposed development is acceptable in terms of its impact on ground conditions. It is officer advice that it is.

13.0 Local financial considerations

13.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance considerations 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, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments).

13.2 The proposal involves the creation of 1no. new dwelling. Granting planning permission for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive. As the system currently stands, for North Tyneside for the new increase in dwellings built 2017/18, the council will receive funding for five years. However, the Secretary of State has confirmed that in 2018/19 New Homes Bonus payments will be made for four rather than five years. In addition, the new homes will bring additional revenue in terms of Council Tax.

13.3 In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period.

13.4 Members should give appropriate weight to amongst all other material considerations to the benefit of the Council as a result of the monies received from central Government.

14.0 Conclusions

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

14.2 The application site lies within an existing built up area with access to existing local services. Members need to determine whether the proposed development is acceptable in terms of the principle of the development, its impact on amenity, its impact on the character and appearance of the area and all other issues including its impact on highways and ground conditions. It is the view of officers, subject to the imposition of the suggested conditions, that the proposed development is acceptable. As such, officers consider that the proposed development does accord with national and local planning policies. Approval is recommended.

RECOMMENDATION:

The Committee is recommended to indicate that it is minded to grant this application subject to an Unilateral Undertaking being agreed under Section 106 of the Town and Country Planning Act 1990. Members are also recommended to grant delegated authority to the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;
-Coastal Mitigation contribution.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
 - Proposed site plan Dwg No. 1602_03
 - Proposed roof plan Dwg No. 1602_07
 - Proposed NW and SE elevations Dwg No. 1602_08
 - Proposed NE elevation Dwg No. 1602_10
 - Proposed ground floor Dwg No. 1602_04
 - Proposed first floor Dwg No. 1602_05
 - Existing site plan Dwg No. 1602_02
 - Existing and proposed SW elevations Dwg No. 1602_09
 - Location plan Dwg No. 1602_01Reason: 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. 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).

4. 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 details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. 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.

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).

5. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of the boundary treatments, including position, design and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these approved details shall be installed prior to the occupation of any dwelling hereby approved and shall be permanently retained. All works where they impact on retained trees are to be carried out by hand and in accordance with BS 5837:2012.

Reason: To ensure that the proposed development does not adversely affect the amenity of future occupants and to ensure a satisfactory environment within the development having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

6. 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.

7. New Access Access Before Devel ACC01 *
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8. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

9. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of the provision of wheeled refuse facilities for all waste types and refuse collection management shall be submitted to and approved in writing by the Local Planning Authority. These details shall include areas of storage of refuse, recycling and garden waste at the dwelling and a suitable area for collection day only. Thereafter, these agreed details shall be provided prior to the occupation of the dwelling and permanently retained.

Reason: In order to safeguard the amenities of the area and highway safety having regard to policies DM6.1 of North Tyneside Local Plan (2017).

10. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement (the contractors construction method statement relating to traffic management/site compounds/contractor access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires) for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: include tree protection measures for the trees to be retained, 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 bowsters, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development. Cabins, storage of plant and materials, parking are not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.

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

11. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level a scheme for secure under cover cycle storage has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details prior to the occupation of the dwelling and retained thereafter.

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

12. No other part of the development shall be commenced until:-

- a) A detailed site investigation has been carried out to establish:
 - i) If the site is contaminated;
 - ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the residents and public use of land;
 - iii) To determine the potential for the pollution of the water environment by contaminants and;
 - iv) The implication for residential development of the site and the quality of the residential environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

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

Reason: To ensure that the potential contamination of the site is properly

investigated and its implication for the development approved fully taken in to account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

13. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a scheme for the protection of trees in accordance with BS 5837:2012, including Arboricultural Impact Assessment (AIA) and a tree protection plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority. Thereafter, the development shall only be carried out in accordance with these agreed details.

Reason: This information is required from the outset in the interests of amenity and to ensure existing landscape features are adequately protected having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

14. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved, including where works are proposed within the 'Root Protection Area' (RPA) and/or crown spread of a tree, an Arboricultural Method Statement (AMS) in accordance with the recommendations of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees. The method Statement is to include the following:

- Details of construction within the RPA including hard surfaces and/or scaffolding that may impact on the retained trees including the installation of temporary ground protection;

- Details of any construction works and methods of installation required within the root protection area as defined by BS5837:2012 which make provision for protection and the long-term retention of the trees for the location of any (and not limited to) underground services, carriage way positions, parking areas and driveways, drainage, lighting, fence posts, installation of kerb lines or any structures within the root protection area and /or specialist foundations. Such areas are to be constructed using a 'No-dig' specification and to include works being undertaken by hand or suitable method such as an air spade along with any necessary ground treatments to deal with compacted areas of soil;

- Details shall demonstrate that any trenches or excavation works will not cause damage to the retained trees and /or root systems of the trees No services shall be dug or laid into the ground other than in accordance with the approved details;

- Details of any changes in ground level, including existing and proposed levels and any retaining structures required within the root protection area as defined by BS5837:2012; and,

- 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 and the effect they will have on finished levels and finished heights. Thereafter all construction and excavation works shall be implemented in accordance with these approved details. Any variation to the approved AMS

and TTP shall be submitted to and approved in writing by the Local Planning Authority.

Reason: This information is required from the outset in the interests of amenity and to ensure existing landscape features are adequately protected having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

15. Works which are proposed within the root protection area (RPA) of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage, are to be carried out in complete accordance with the Arboricultural Method Statement, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'.

Reason: In the interests of amenity and to ensure existing landscape features are adequately protected having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

16. 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 Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

17. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: This information is required from the outset to prevent the increased risk of flooding from any sources in accordance with the NPPF.

18. Notwithstanding Condition 1, prior to the construction of any part of the development hereby approved above damp-proof course a schedule and/or samples of all surfacing materials and finishes 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).

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 are provided in accordance with Policy DM4.9 of the North Tyneside Local Plan (2017).

20. 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 Classes A, B, C, D, E, F, G of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

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

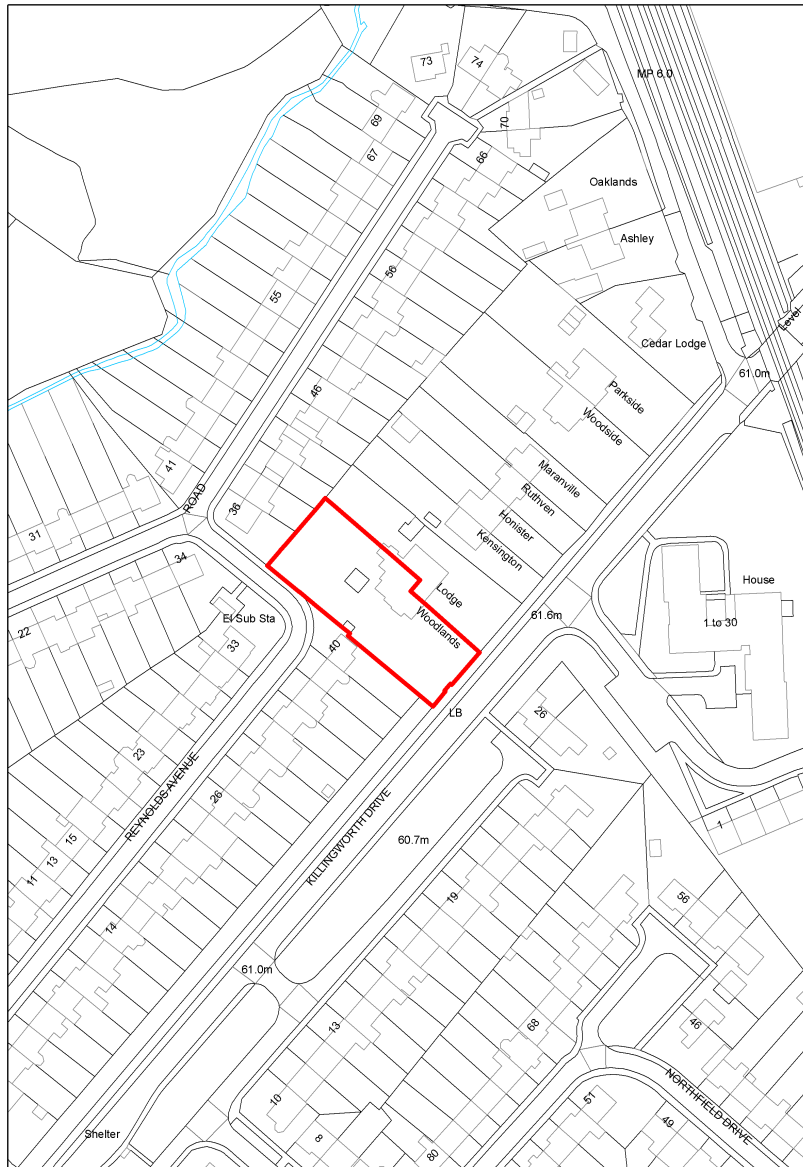
Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

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

Informatives

Building Regulations Required (I03)
Contact ERH Construct Highway Access (I05)
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)
Highway Inspection before dvlpt (I46)

It should be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>. Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority: -Discharge into ground (infiltration); -Discharge to a surface water body; -Discharge to a surface water sewer, highway drain, or another drainage system; -As a last resort, discharge to a combined sewer.



Application reference: 19/01075/FUL

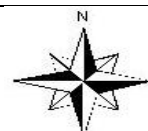
Location: Woodlands, Killingworth Drive, West Moor, NEWCASTLE UPON TYNE

Proposal: Erection of a new dwelling (two storeys) - Amended description and plans 11.11.2019

Not to scale

Date: 05.12.2019

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Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 The site is accessed from Reynolds Avenue and parking has been provided in accordance with current standards. Conditional approval is recommended.

1.3 Recommendation - Conditional Approval

1.4 Conditions:

ACC10 - New Access: Access before Devel

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT06 - Construction Method Statement - Minor

No part of the development shall be occupied until a scheme for secure undercover cycle parking has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety.

1.5 Informatives:

I05 - Contact ERH: Construct Highway Access

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

I46 - Highway Inspection before dvlpt

1.6 Landscape Architect

1.7 Existing Site Context

1.8 Relative Legislation: *Woodlands Killingworth Drive Killingworth TPO 1990*

1.9 The property has large garden areas to its front and rear with many mature mixed species trees (see above) bordering the perimeter areas of the front garden and driveway. A number of trees are protected by a Tree Preservation Order. The rear garden consists of open-aspect lawn areas with a continuous avenue of mature conifers (Lawsonia) bordering its southwestern perimeter, including a semi-mature Horse Chestnut (Aesculus) to the southern end of the avenue and a Sycamore (Acer) to the north. The general tree collective within the vicinity of the applicant's property and some adjacent local properties are covered by Tree Preservation Orders (TPO), which affords legal protection based on the 'amenity value' of the trees. Other mature trees within the vicinity, link together with neighbouring tree groupings and solitary trees to collectively form the essential mature tree structure of the area.

1.10 The amended application documents (Received: 11th Nov 2019) does not materially change the position with regard to the adjacent TPO and associated landscape matters, and the proposed conditions are still to be applied:

Protection of trees

No trees shall be felled, uprooted, willfully 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.

Arboricultural Impact Assessment (AIA) and a tree protection plan (TPP)

A scheme for the protection of trees, in accordance with BS 5837:2012, including Arboricultural Impact Assessment (AIA) and a tree protection plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority.

Arboricultural Method Statement (AMS)

Prior to any works starting on site and where works are proposed within the 'Root Protection Area' (RPA) and/or crown spread of a tree, an Arboricultural Method Statement (AMS) in accordance with the recommendations of BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' will be required in order to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees. The method Statement is to include the following:

Details of construction within the RPA including hard surfaces and/or scaffolding that may impact on the retained trees including the installation of temporary ground protection.

Details of any construction works and methods of installation required within the root protection area as defined by BS5837:2012 which make provision for protection and the long-term retention of the trees for the location of any (and not limited to) underground services, carriage way positions, parking areas and driveways, drainage, lighting, fence posts, installation of kerb lines or any structures within the root protection area and /or specialist foundations. Such areas are to be constructed using a 'No-dig' specification and to include works being undertaken by hand or suitable method such as an air spade along with any necessary ground treatments to deal with compacted areas of soil. Details shall demonstrate that any trenches or excavation works will not cause damage to the retained trees and /or root systems of the trees. No services shall be dug or laid into the ground other than in accordance with the approved details.

Details of any changes in ground level, including existing and proposed levels and any retaining structures required within the root protection area as defined by BS5837:2012. Thereafter 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. and the effect they will have on finished levels and finished heights.

Thereafter all construction and excavation works shall be implemented in accordance with the approved details. Any variation to the approved AMS and TTP should be submitted in writing for approval.

Implementation of works on site

Works which are proposed within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage, are to be carried out in complete accordance with the Arboricultural Method Statement, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'

A further two conditions are to be applied:

Contractor Method Statement

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

Landscape Scheme

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 details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

1.11 Contaminated Land Officer

1.12 Due to the proposed sensitive end use the following must be attached:
Con 001

1.13 Environmental Health

1.14 I have no objection in principle to this application, I would recommend conditions for construction hours.

HOU04

2.0 Representations

2.1 44 objections have been received. These objections are set out below:

- Adverse effect on wildlife.
- Inadequate drainage.
- Impact on landscape.
- Inadequate parking provision.
- Loss of privacy.
- Loss of visual amenity.
- Nuisance: disturbance, dust/dirt, fumes noise.
- Out of keeping with surroundings.

- Poor traffic/pedestrian safety.
- Poor/unsuitable vehicular access.
- Will result in visual intrusion.
- Inappropriate design.
- Inappropriate materials.
- Loss of residential amenity.
- Precedent will be set.
- Development will be at the bottom of our garden.
- Loss of/damage to trees.
- The noise and disruption will be detrimental to our health and well-being and we are virtually housebound.
- Since the news of this application my health has deteriorated.
- I cannot believe the entrance to this property will be on a bend of Whitecroft/Reynolds Avenue which is a notorious black spot for accidents.
- We fear we may lose our small bus K2 which is used by most of the elderly on this estate. We have been informed this service may have to cease if these plans go ahead.
- I live on the corner opposite and already there is a safety issue with vans and cars parking on that corner. The last thing we want is more cars parking there. Also, the bus comes round our estate and already sometimes has difficulty getting round with cars parked. Obviously, they will have two parking spaces but where will visitors park.
- Also, the nuisance of building work going on with lorries and diggers coming along Reynolds Avenue which is already congested because of the narrowness of the road. So, my main concern is the safety aspect.
- Significant loss of sunlight and daylight into both our garden and rooms to the rear of our property. The position of the house would also mean a greater sense of enclosure in our home and garden due to proximity and height of the proposed house. The outlook from every room at the back of our house will feel extremely closed in. This will impact on time spent in our garden as we feel it will certainly have an effect due to noise levels and disturbance.
- There is no back garden on the planning proposal and therefore any large family moving in will only have available outside space each side of the house.
- The design of the house looks too dominant and overbearing in relation to the space/land that it would potentially be sited within. The house is not in character with any other house located within the street.
- There are windows in the loft extension and the second floor which would result in us feeling much more overlooked.
- The proposed location of this house is an issue due to the road from Reynolds Avenue to Whitecroft Road. There are two sharp bends in this road either side of the proposed property which is already a busy road most times of the day due to current residents. A bus service also comes around this street which is used frequently by the local residents.
- The plans show two parking spaces however these are inappropriate as they are parallel to the road. Two spaces for a 4/6-bedroom house is already inadequate, but more importantly a major safety issue for road users with these potential cars parking and exiting the spaces. Parking will also be adjacent to our garden and home causing noise and pollution.
- If building were to be allowed, this should be no more than two storeys with access via Killingworth Drive.

-This would cause significant issue during the building stage and eventually lead to a significant increase in the risk in a part of the road that already has its issues with poor visibility and poor manoeuvrability. During the building stage additional traffic and works vehicles are likely to cause issues and post-development the additional vehicles of the resident and guests could complicate further.

-Detrimental effect on the value of our property.

-Even with the driveway visitors will park on the road and impede the bus which already has difficulties with parked cars and double dangerous being nearly in the corner. Many old people, me included, rely on that bus to get out and about.

-Insufficient drainage. Not one drain on that corner and I know my garden already floods.

-I am forwarding to you some pictures I have taken in the hope of demonstrating the reality of the parking and driving situation through Whitecroft Road and Reynolds Ave, exactly where the proposed development would be. These pictures were taken at 1.45pm Thursday, 4.15pm Friday and 12pm Saturday. We hope that by viewing them it will help to corroborate the many concerns that residents have about this corner and the impact of allowing a house to be built here. We have spoken to neighbours and they have stated they would be happy to speak to any planning official should you want to come out and look yourself.

-I am a little confused as the Highways Engineers comment has stated the 'site is accessed from Woodlands and parking has been provided in accordance to the current standards'. I have checked the plans again including the SW elevation (which looks like the old submission as the cars are parked parallel to the house and no driveway evident?) and it looks like the property is not accessed via Woodlands (therefore through Killingworth Drive). Could you please clarify this as it is confusing to us and may deter others from objecting if they think the access and parking is not via Reynolds Ave and Whitecroft Road.

-Query the highways comments 'The site is accessed from Woodlands and parking has been provided in accordance with current standards. Conditional approval is recommended.' (Can be found in Consultee comments, no date). Looking at the new proposed site plan, to us it does not show that vehicular access is through Woodlands (therefore via Killingworth Drive and not through Reynolds Avenue and Whitecroft Road), only that the driveway has been amended to accommodate three cars now (the previous planning application had two). The new south west elevation drawing looks like it still has two cars parked parallel to the property which is still a major safety concern to the many existing residents. The proposed driveway does not take into account where visitors to the property would park, and if access to the driveway is via Whitecroft/Reynolds then this a major issue for reversing or parking in that driveway. Photographs submitted to demonstrate how dangerous this corner is. The reality of living on this estate is that many residents have more than one car (myself included) and also work vehicles/vans. To then allow another house to be built in such a small space (not correctly shown on the plans) would be both damaging and dangerous for the current residents.

-A good number of young children now play out in the street which is enjoyable to see but again safety is an issue as they are young and may not always be vigilant with road safety whilst playing.

-This development is unnecessary for this area, a current property search states there are 43 properties available to buy, (4 of which are in Whitecroft/Dene Avenue and Harriet Drive) and they vary from a one bedroom flat to four bed detached homes so there is more than enough availability for people who want to

move into the area. There are also many new build properties being built near Miller and Carter and on the other side of the main road if a new build is the desire.

-Reducing the property to two storeys as opposed to three does not appear to change the height or scale of this double front house, the only difference appears to be there are no longer windows in the loft. To gain a full appreciation of this build, the plans omit any measurements of the house itself. The design of the house looks too dominant and overbearing in relation to the space/land that it would potentially be sited within. The house is not in character with any house located within the streets where we live. Furthermore, there is no indication where the wall begins and ends at the front of property with measurements and the plans are very hard to interpret. According to the limited measurements on the plans the house is only 2.9m from the pathway and again this is not in keeping with the current houses with an average of a 4m driveway and front garden before you reach the path. It is set this far forward to minimise the impact to the owners of Woodlands.

-The plans still demonstrate that the house would overlook the resident's gardens in Whitecroft Road/Reynolds Avenue. It will cause us to lose a significant level of sunlight and daylight in both our garden and the rooms at the back of our house. The position of the proposed house would also mean we would feel a greater sense of enclosure in our home and garden due to proximity and height of the proposed house. The outlook from every room at the back of our house will feel extremely close in. The proposed back garden is too small, and we are concerned about noise and disturbance and will impact on the time we spend in our garden.

-It could set a precedent for overdevelopment of the area. Essentially this proposal is to build a home in a back garden, therefore in the future other proposals may be made which will again infringe on the privacy of existing residents as well as future building works and disturbance. It will not only ruin the character of Woodlands itself as an example of Victorian architecture. We have spent a great deal of time looking at the revised plans, even going out to do some measurements ourselves and take photographs as we feel so strongly this application should be denied.

-Roads throughout Reynolds Avenue and Whitecroft Road were built in the 1950s. They were designed for a smaller car and less cars per household. One car can fit down Reynolds Avenue due to people parking on the sides of the roads. This part of the road is currently populated with a number of large vans as the drives are not large enough to accommodate them. Construction traffic would add additional chaos to the street and cause large disruption to the residents and also businesses that serve the street such as the K2 bus service and couriers. Add construction traffic, dust and noise the area where the dwelling will be built will be unusable for 6 months to a year depending on how long it takes to build the property.

-Removing the conifers will cause privacy issues for residents around the new house. With views directly into bedrooms. A considerable amount of wildlife will be misplaced due to the large coverage the trees currently offer to birds.

-No drains are located on that part of the road. The nearest surface drain is around 36/38 Reynolds Avenue. With the proposed block paving on the property surface water would run onto the corner of Reynolds Avenue and pool up as it currently does in bad weather. To fix this issue additional highway work would be required, causing more disruption.

- The removal of the wall currently surrounding the plot will also require the destruction of No. 40's raised flower bed on the corner of Reynolds Avenue, which on the diagram stretches right onto the parked area of the new dwelling. Nowhere in the plans has this been documented or any boundaries issues discussed.
- The owner is simply wanting to sell some unused land, which is currently occupied by unkempt conifers and grassed area, hidden behind an old crumbling wall.
- Legal guidance obtained is as follows: If access is required onto a trunk or classified road, then consent will be required, and this will normally be sought as part of planning approval. However, a new access will not generally be allowed if it involves vehicles entering or leaving the carriageway close to a junction, on a sharp corner or at a blind spot, for obvious safety reasons. The road onto which the cars accessing this property will be on a sharp corner and a blind spot. Simply looking at the road as a third party you do not appreciate how close cars are to hitting each other as you cannot see who is coming the other way until you almost hit.
- If this new build property is approved, it should be on the condition access is via Killingworth Drive which is the established access point for this plot of land.
- Applications have been made previously by the landowner for bungalows and this had an access point off Reynolds Avenue. The application was declined for access reasons. The same should apply for this application also.
- Not in-keeping with the surroundings in any way shape or form – surrounding properties are semi-detached and two storeys. There are no new build property's anywhere on this estate. Any residents that have undertaken extension work on their homes have always done this in accordance with the visual aspect of their homes and this maintains a uniform appearance.
- Disruption to the landscape and removal of trees which in turn will impact on wildlife in the area. There are many birds, bats, hedgehogs and other wildlife which will be disrupted with their removal of their habitats.
- Huge disruption caused by construction vehicles.
- Height of property will impact on the gardens of Whitecroft Road.
- Parking provision is not sufficient for a property with 6 bedrooms.
- Cause significant issues during the building stages; increased traffic from construction companies, builders, the delivery of materials which again creates a safety risk to pedestrians and residential traffic. Carrying out this work on such a blind corner is already an accident waiting to happen.
- The current land where the proposed dwelling is to be erected contains a number of protected trees which are home to a large amount of wildlife. Removal of these trees will impact on their habitat and it is not clear that the appropriate surveys have been conducted to ensure that there is no adverse effect on the wildlife.
- Rear windows would overlook our property and garden.
- Previous planning application was refused due to highway and pedestrian safety in the 1990 (90/00798/OUT).
- The size and scale of the development will impose a significant physical presence upon all neighbouring properties and general streetscape.
- Overdevelopment and detrimental to the quality of housing in the immediately adjacent area and is not appropriate and in keeping with the two-storey traditional 3 bed semi-detached house styles in the area.

-Inappropriately close to neighbouring properties and infringes upon the rights of neighbours to enjoy their properties. This will impact greatly upon the privacy of the neighbouring properties as this building looks out onto the surrounding properties and directly into private homes.

-The Victorian semi-detached property on which the proposed development sits, is one of the few traditional and key design buildings in the area. One of the overall design and quality aspects of these properties is the benefit of the large gardens. Over development of the gardens would damage the setting and set a precedent for further over development in the area.

-The current garden of the proposed development provides a screen for the property's existing traditional brick wall and hedge/treeline providing a visual barrier and breaking up the space.

-Precedent will be set to develop buildings that are inappropriate in the style and layout of the immediately surrounding properties together with the precedent for those properties with large gardens to apply for planning permission to develop.

-The reasons set out to refuse the planning application 90/00798/OUT and dated 2.10.1990 remain the same and should be upheld.

-The development will create a dangerous and permanent road safety issue to the residents of Reynolds Avenue at the location of a tight, narrow blind bend. The inevitable additional parking and vehicles, particularly the local bus service and emergency vehicles that require access to the estate. Have the council monitored the current situation?

-The existing dwelling is large enough to accommodate a modest extension for their family needs with access from their existing entrance.

-This development will create a permanent dangerous condition and disruption to our community with little disruption and no danger to the developer.

-Why should we suffer for their financial gain?

-I use this road when returning to my home and have witnessed four collisions because of the way cars and vans have been parked. There are also numerous occasions I have had to take avoidance action or reverse back around the corner to allow oncoming vehicles to pass.

-Nobody has mentioned red squirrels. This is the only location I have ever seen red squirrels. I have seen single squirrels on at least ten occasions over the last 15 years. I do not think I will see anymore if this house gets built.

-I appreciate some amendments have been made to the original application, which I must say seems slightly underhand; submitting a new application before the original was approved or declined; a fault on the part of the council also; surely this isn't the normal process.

-It is still not the typical 3 bed semi with garage therefore we believe this property will still look out of place.

-This application proposes parking to the left of the house; we fail to believe that the cars on this driveway will be able to 'safely' reverse out onto Reynolds Avenue with an 8 foot wall (currently surrounding the property of No. 38 Whitecroft Road) blocking any view of traffic coming from Whitecroft Road. This creates a further danger to an already dangerous part of the estate.

-This driveway amendment is another opportunity for a future plan to be submitted to turn this driveway into a garage.

-This proposed access is intentional to avoid any disruption to the current landowners and their property. We cannot see how a whole estate should be disrupted with increased traffic, construction work, dirt/dust and increased noise levels all for the sake of one property not being affected. Why has the renewed

application not taken into account the numerous comments regarding changing the access point to the property?

-Pedestrian safety will be compromised during construction works.

-Safety concern regarding the K2 bus service most certainly during the winter months when the paths/roads are in an icy condition. This is essential to the elderly residents to still be able to enjoy some independence however, we believe there is an increased risk that this service will be removed should further traffic including construction traffic be added to the estate.

-The Victorian semi-detached property on which the proposed development site, is one of the few traditional and key design buildings in the area. One of the overall design and quality aspects of these properties is the benefit of the large gardens. Over development of the gardens would damage the setting and set a precedent for further over development in the area.

-The current garden of the proposed development provides a screen for the property's existing traditional brick wall and hedge/treeline providing a visual barrier and breaking up the space.

3.0 External Consultees

3.1 The Coal Authority

3.2 The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Local Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

3.3 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

3.4 Newcastle International Airport Limited (NIAL)

3.5 The airport has withdrawn their objection.

3.6 Given the location and the modest size of the site, and taking on board that SUDs are now no longer proposed, we would have no objection to the proposal as it is considered that it would not result in any detriment to the safe operation of the airport.

3.7 Northumbrian Water

3.8 In making our response to the Local Planning Authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

3.9 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of

sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>.

3.10 Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- Discharge into ground (infiltration);
- Discharge to a surface water body;
- Discharge to a surface water sewer, highway drain, or another drainage system;
- As a last resort, discharge to a combined sewer.

3.11 Natural England

3.12 Natural England has no comments to make on this application.

3.13 Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

3.14 Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

3.15 The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

3.16 We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>