

Item No: 1
Application No: 23/01222/REM Author: Maxine Ingram
Date valid: 12 September 2023 ☎: 0191 643 6322
Target decision date: 12 December 2023 Ward: Wallsend North

Application type: approval of reserved matters

Location: Land To The West Of , Station Road North And, Land South Of East Benton Farm Cottages, Station Road North, Wallsend

Proposal: Reserved matters application for the submission of details of appearance, landscaping, layout and scale in respect of the erection of 199 dwellings, garages, car parking together with associated boundary treatment and infrastructure pursuant to hybrid application 16/01885/FUL (Amended description)

Applicant: Persimmon Homes (North East)

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

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

-Whether the reserved matters relating to the layout, scale, appearance, and landscaping for part of Phase 3 of the hybrid planning permission 16/01885/FUL are acceptable.

1.2 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 consider any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application site forms part of a wider residential development that was granted planning permission 15 January 2018. This planning application, Ref: 16/01885/FUL, granted full and outline permission for up to 593 dwellings. The full permission (Phase 1) secured 175 residential dwellings and the outline permission secured up to 418 dwellings to be delivered in phases as part of subsequent reserved matters. The reserved matters relating to Phase 2 have been approved, Ref: 19/01085/REM and 21/02460/FUL, securing a further 181 residential dwellings. Works relating to Phases 1 and 2 have commenced.

2.2 This application relates to the final phase of the wider development site. This site is separated from Phases 1 and 2 by an existing Public Right of Way (PRoW). It comprises of agricultural land that slopes from north to south. To the east of the site is an existing housing estate. To the south of the site is an area of open space and allotments. To the west of the site is the East Coast Main Line.

2.3 East Benton Farm is located in the north part of the site, but it is excluded from the redline boundary of this application.

2.4 The wider residential site forms part of a designated housing site (Site 17 and Site 111) within the Council's Local Plan (2017).

3.0 Description of the Proposed Development

3.1 In 2018, a hybrid application for the construction of 175 residential dwellings and outline planning permission for the construction of 418 residential dwellings was granted planning permission.

3.2 This application seeks approval of all the matters reserved under condition 3 of the hybrid consent for part of Phase 3 for the construction of 199 residential dwellings.

3.3 In total 17 house types accommodating one to four bedrooms are proposed. A range of apartments, detached, semi-detached and terraced properties are proposed. The proposed dwellings will range from two to three storeys.

3.4 Members are advised the description has been amended to reflect the change in the number of dwellings proposed from 200 to 199. Members are also advised that revised plans have been submitted to reflect this change and address some of the points raised by consultees. As the number of units has been reduced it was not considered necessary to re-consult residents. Residents have not been consulted on the revised plans as the amendments made have not changed the overall proposed layout.

4.0 Relevant Planning History

16/01885/FUL - Hybrid application; Outline application for approximately 418 residential dwellings (C3 use) with associated highways, infrastructure and landscaping, all matters reserved with the exception of access. Full planning permission for 175 dwellings (C3 use) with associated infrastructure, landscaping, Sustainable Urban Drainage system and access (Amended description) – Permitted 15.01.2018

19/01085/REM - Reserved matters application for the submission of details of appearance, landscaping, layout and scale in respect of erection of 66 dwellings, garages, car parking together with associated boundary treatment and infrastructure pursuant to hybrid application 16/01885/FUL (amended plans 28.11.2019) – Permitted 07.06.2022

21/02460/REM - Development of 115no 3 and 4 bedroom properties with associated infrastructure – Permitted 03.08.2022

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (December 2023)

6.2 National Planning Practice Guidance (As Amended)

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

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

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

-Whether the reserved matters relating to the layout, scale, appearance, and landscaping for part of Phase 3 of the hybrid planning permission 16/01885/FUL are acceptable.

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 Preliminary Matters

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

8.2 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision takers should approve development proposals that accord with an up-to-date development plan without delay.

8.3 Paragraph 60 of NPPF states that 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 and that land with permission is developed without unnecessary delay.

8.4 Paragraph 76 and 77 of National Planning Policy Framework (NPPF) requires local planning authorities with a Local Plan that is more than five years old 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. This increases to a 20% buffer if past delivery measured through the Housing Delivery Test published annually by government falls below 85%.

8.5 The most up to date assessment of housing land supply informed by the five-year housing land summary, is included within the Housing Land Availability Assessment, November 2022. It identifies the total potential 5-year housing land supply in the borough at 3,485 additional dwellings, a total which includes delivery from sites yet to gain planning permission. On 19th December 2023 government published the 2022 Housing Delivery Test, reporting housing delivery performance for the period 2019/20 to 2021/22. This has established that as of 2022, delivery in North Tyneside was 81% of requirements. Consequently, the Borough must apply the higher 20% buffer to its 5 Year Housing Land Supply Assessment. With both the previous 5% buffer and new 20% buffer, forecast housing supply in North Tyneside falls short of requirements. The outcome of publication of the HDT 2022 is that the requirement is increased, and the Borough's effective land supply will reduce from 3.37 years to 2.95 years. It is important to note that this assessment of five-year land supply includes over 1,000 homes from proposed housing allocations within the Local Plan (2017). The potential housing land supply from this proposal is included in this assessment.

8.6 LP 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 the strategic, development or areas specific policies of the Local Plan.

8.7 LP Policy S4.1 'Strategic Housing' states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific deliverable housing sites, including the positive identification of brownfield land and sustainable greenfield sites that do not fall within the Borough's Green Belt, whilst also making best use of the existing housing stock.

8.8 LP Policy DM1.3 'Presumption in Favour of Sustainable Development: "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.

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 site is designated as a housing site within the Local Plan (2017) under Policy S4.3 'Distribution of Housing Development Sites'. The principle of constructing up to 593 residential dwellings has already been established by the granting of planning permission in 2018 (Ref: 16/01885/FUL).

8.10 The objections regarding the principle of development are noted. Members are advised the site is allocated for housing in the LP. The site is not designated as Green Belt or located within a Conservation Area.

8.11 Members are advised that the principle of residential development has already been firmly established on this site under 16/01885/FUL. The site is allocated for housing in the LP.

9.0 Layout

9.1 The Local Planning Authority must have regard to its statutory duty to ensure the preservation and enhancement of the character and appearance of conservation areas, as outlined in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It must also have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under section 66 of the same Act.

9.2 The NPPF sets out government policy on the historic environment, which covers all elements, whether designed or not, that are identified as 'having a degree of significance meriting consideration in planning decisions, because of its heritage interest'.

9.3 Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail required in the assessment should be 'proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

9.4 Paragraph 201 explains that 'where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh harm or loss.

9.5 Paragraph 202 advises that where a proposal involve less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In weighing applications that affect directly or indirectly non designated heritage assets. 9.6 Paragraph 203 states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

9.7 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

9.8 Paragraph 206 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

9.9 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (NPPF paragraphs 207-208).

9.10 Paragraph 131 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. These aims are further supported by paragraph 135 of the NPPF.

9.11 Paragraph 139 of the NPPF makes it clear that development that is not well-designed, especially where it fails to reflect local design policies and government guidance on design should be refused. Significant weight should be given to development which reflects local design policies etc. and development which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the surroundings.

9.12 LP Policy S6.5 'Heritage Assets' seeks to preserve, promote and enhance heritage assets.

9.13 LP Policy DM6.6 'Protection, Preservation and Enhancement of Heritage Assets' states the alteration, extension or restoration of heritage assets, and development that affect their settings, will be permitted where it sustains, conserves and, where appropriate, enhances the significance, appearance, character and setting of heritage assets in an appropriate manner. As appropriate, development will conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character; repair damaged features or reinstate missing features that contribute to the asset's significance; and remove additions or modifications that are considered harmful to the significance of the heritage asset. Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

9.14 LP Policy DM6.1 'Design of Development' states applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents.

9.15 LP Policy DM4.6 'Range of Housing Types and Sizes' seeks to ensure that new residential development provides a mix of homes to meet current and future demand, and to create sustainable communities.

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

9.17 The objections received regarding the impact on the listed building are noted.

9.18 The proposed layout, accommodating 199 dwellings, has been largely dictated by the indicative plans submitted with application 16/01885/FUL which set landscape parameters around the development cell and listed building.

9.19 The principle of building on the land to the south of the listed East Benton Farm and farm buildings (Grade II) has already been accepted under application 16/01885/FUL. The proposed development will have some impact on its setting however the proposed layout has considered the listed buildings and responds with a specific character area with lower density housing and a landscape buffer. Over 70m will exist between the proposed dwellings to the west and south of the listed buildings.

9.20 The layout generally has positive development edges with units facing outwards over open spaces and green links. Traditional and village house types are proposed. The village house types are sited closest to the listed building. The heights of buildings vary across the site which has the potential to create visual interest and contribute towards a well-designed street scene. The design comments raise concerns where a change in roof pitch disrupts an otherwise well-designed street scene between some of the two and two and a half storey dwellings. This concern is noted however it is the view of officers that this does not result in significant harm to the proposed layout that would warrant a recommendation of refusal. Units around key junctions enhance the spaces with buildings designed to turn street corners well.

9.21 The layout accommodates street trees in verges and front gardens. A landscape buffer is proposed along the western boundary and small areas of open space within the site provide biodiversity enhancements. The landscape buffers to the north, west and south of the application site are consistent with the areas identified under Policy S4.3. The plans accompanying 16/01885/FUL showed proposed housing backing directly onto the existing residential dwellings to the east of the site. It is noted that there is limited open space for recreation and play amongst the proposed housing. However, there are opportunities for recreation and play within the landscaped areas, mainly the northern area. The site is also within close proximity to other areas.

9.22 Each residential dwelling will have access to its own private outdoor area of amenity space. The apartments do not have any access to any private outdoor

area but can access pockets of open space within the site. Areas for waste and the locations of shed to secure cycle storage have been identified and with the exception of the apartments are located to the rear of the properties. The areas for waste serving the apartments (Plots 467 - 469, 477-479 and 501-503) are located to the front/side and are prominently located. Consideration will need to be given to securing an appropriate enclosure to ensure these areas do not detract from the street scene. Bin collection points have also been identified for plots which will not benefit from direct kerbside collection i.e. end of shared drives.

9.23 To the north of the PRoW is the committed development. The proposed layout shows the point of access between the development to the north and the application crossing a section of the PRoW. Members are advised this point of access has been agreed and is consistent with the indicative access details under LP Policy S4.3. This policy required a secondary access near Benton Cottages to link with the main site and lead to Station Road North. Parking is generally well designed away from key corner plots and views. The comments from Northumbria Police regarding rear car park islands are noted and they have recommended these areas benefit from increased lighting.

9.24 The layout integrates well with earlier phases. A pedestrian route is proposed to the south of the site. The site has been designed to provide pedestrian connectivity to the north and south.

9.25 The objections relating to the impacts on residential amenity, including loss of privacy, outlook, light, and disturbance during construction (noise, mud, dust) are noted.

9.26 Existing residential dwellings are sited along the eastern edge of the application site. It is noted that some of these properties have been extended. Whilst these extensions are not shown on the plans they have been considered as part of the assessment of this application. Officers consider an appropriate separation distance will be provided.

9.27 Paragraph 191 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should amongst other matters; mitigate and reduce to a minimum potential adverse impact resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.28 LP Policy DM5.19 'Pollution' states that 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. Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting

development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.29 The East Coast Main Line is located to the west of the site. The layout shows the proposed dwellings in relation to this noise source. A landscape buffer separates the proposed dwellings from the noise source. Most dwellings closest to this noise source have been designed with their main gardens to the rear. Some properties rear gardens are sideways to this noise source (Plots 357, 401, 418, 445, 459, 461 and 473) therefore an appropriate acoustic boundary treatment may be required. The proposed dwellings will be separated from the closest roads (A186 and A191) by existing residential dwellings to the east and the committed residential development to the north.

9.30 A noise assessment was submitted to support application 16/01885/FUL. The main noise sources identified for the wider residential site were road traffic noise, rail noise and potential noise from adjacent commercial premises. A condition was attached to 16/01885/FUL that required further noise assessments to be undertaken prior to the commencement of any development within Phases 2 and 3. Members are advised that the applicant will still need to comply with the requirements of this condition. However, an updated noise assessment has been submitted to support this application.

9.31 The submitted noise assessment has considered noise levels affecting the proposed development from surrounding noise sources during the day and night. This assessment concludes, subject to appropriate mitigation, that residents of the proposed dwellings will be provided with acceptable internal and external noise environments in line with all current guidance. It also advises that residents of the most sensitive plots will be able to open windows at their own discretion and will be provided with an alternative means of ventilation to allow windows to be closed for acoustic comfort.

9.32 The Manager of Environmental Health has been consulted. She has considered the updated noise assessment. She has advised maximum noise levels from trains were not considered high risk and noise exposure to traffic was modelled based on future traffic flow. She has confirmed that a glazing and ventilation scheme is required for those plots where internal noise levels will not be achieved with window open. The assessment has determined that properties will not be subject to overheating. She has recommended conditional approval.

9.33 Conditions relating to noise were imposed as a phased condition and the hours of construction was imposed as a standard condition as part of the hybrid application; the applicant will be required to comply with the requirements of these conditions. It is therefore not necessary to duplicate the conditions.

9.34 The objections relating to traffic impacts are noted.

9.35 Paragraph 115 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.36 The NPPF paragraph 116 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

9.37 LP Policy S7.3 'Transport' states that the Council, will support its partners, who seek to provide a comprehensive, integrated, safe, accessible and efficient public transport network, capable of supporting development proposals and future levels of growth.

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

9.39 The Transport and Highways SPD set out the parking standards for new development.

9.40 A Transport Assessment (TA) was submitted with the hybrid planning application. Previous applications assessed the local highway network which was tested in the council's Micro-simulation Transport Model. A suite of off-site highway improvements relating to East Benton Rise and the hybrid planning application were secured. These highway improvements are set out in the Highway Networks Manager comments in the appendix to this report. The highway impacts of constructing up to 593 residential dwellings on this designated housing site have been fully assessed and considered as part of the hybrid planning application.

9.41 The Team Leader New Developments (Highways) has been consulted. He has advised that the proposed layout provides parking and access in accordance with current standards. The proposed layout also demonstrates that cycle parking by way of a shed will be provided for each property. Bin collection points have been identified on the proposed site layout. Connectivity for pedestrian and cycle movement through the wider development site was considered as part of 16/01885/FUL and a connection in the southeast corner of the site will maintain this connectivity from north to south. He has recommended conditional approval.

9.42 Conditions relating to a construction method statement, the internal highway layout, refuse and cycling were imposed as phased conditions as part of 16/01885/FUL; the applicant will be required to comply with the requirements of these conditions.

9.43 The hybrid application was accompanied by a Travel Plan. Therefore, the Sustainable Transport Officer has no further comments to make.

9.44 The objections relating to flood risk are noted.

9.45 Paragraph 173 of the NPPF states "When determining any planning applications, local planning authorities should ensure that flood risk is not

increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment....”

9.46 LP Policy DM5.12 ‘Development and Flood Risk’ outlines that all major development will be required to demonstrate that flood risk does not increase as a result of the development proposed.

9.47 Policy DM5.15 ‘Sustainable Drainage’ states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems (unless otherwise updated and/or superseded).

9.48 A Flood Risk Assessment (FRA) was submitted with application 16/01885/FUL. The impacts of flood risk were fully assessed for the wider residential development. Drainage drawings have been submitted to support this application and complement the original drainage strategy.

9.49 The drainage features have been designed into the site layout. Two storage basins are proposed: one in the central part of the site positioned close to the eastern boundary and one in the southern part of the site.

9.50 The Lead Local Flood Authority (LLFA) has been consulted. They have not raised any objection to this application as the applicant will be providing surface water attenuation within the site for a 1:100 year return period plus an allowance of 45% for climate change plus an additional 10% allowance for urban creep. The surface water attenuation will be achieved via the use of two storage basins located within the development. The surface water exiting the site will be restricted via the use of a hydro brake to 15.8 l/s. The flows will then pass through a downstream defender to capture any pollutants prior to the surface water from the development discharging into the Wallsend Burn tributary. The LLFA has recommended a condition for a detailed drawing showing the outfall into the Wallsend Burn Tributary with the appropriate erosion control measures incorporated into the design.

9.51 Conditions relating to flood risk and surface water drainage were imposed as phased conditions under 16/01885/FUL; the applicant will be required to comply with the requirements of these conditions. It is therefore not necessary to duplicate the conditions.

9.52 Members need to consider whether the layout of the proposed development is acceptable and whether it would accord with the advice in NPPF, policies DM7.4, DM5.19, DM5.15 and DM6.1 of the North Tyneside Local Plan and the ‘Design Quality’ SPD and weight this in their decision. Subject to conditions, it is officer advice that the proposed layout is acceptable and accords with national and local planning policies.

10.0 Scale

10.1 The NPPF states that local planning policies and decisions should ensure that developments that are sympathetic to local character, including the built environment, while not preventing or discouraging appropriate innovation or change (such as increased densities).

10.2 LP Policy DM6.1 'Design of Development' states that designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Amongst other criteria proposals are expected to demonstrate (a) a design responsive to landscape features, topography, site orientation and existing buildings, and (b) a positive relationship to neighbouring buildings and spaces.

10.3 The Design Quality SPD states that the scale, mass and form of new buildings are some of the most important factors in producing good design and ensuring development integrates into its setting.

10.4 The proposed development includes a range of densities and building heights. The proposed building heights are 2, 2.5 and 3 storey development. The proposed scale and mass are in keeping with design approaches for earlier phases. The proposed dwellings immediately adjacent to the existing housing ranges between 2 and 2.5 storeys. Officers consider this height range to be acceptable.

10.5 Conditions relating to levels was imposed as a phased condition as part of the hybrid application; the applicant will be required to comply with the requirements of this condition relating to the phase subject of this application.

10.6 Members need to determine whether the proposed scale is acceptable and whether it would accord with the NPPF, policy DM6.1 and the 'Design Quality' SPD and weight this in their decision. It is officer advice that the proposed scale of the development is acceptable and accords with national and local planning policies.

11.0 Appearance

11.1 The Design Quality SPD states that the appearance and materials chosen for a scheme should create a place with a locally inspired or otherwise distinctive character. In all cases new developments should have a consistent approach to use of materials and the design and style of windows, doors, roof pitches and other important features.

11.2 Two house type ranges are proposed; traditional and village. The proposed house types continue the general character of the wider site. The addition of dormers to the front of some of the house types is also in keeping with the character of the wider site. Boundary treatments are well designed to support the street scene. A surface treatment plan has been submitted however further information is required to confirm the proposed surface materials for the shared drives.

11.3 The layout includes corner plots. Some corner plots on earlier phases of development have unattractive soil and waste pipes sited on their side elevations. A condition is recommended to secure the locations of these and utility boxes.

11.4 Conditions relating to materials and boundary treatments were imposed as a phased condition as part of the hybrid application; the applicant will be required

to comply with the requirements of this condition relating to the phases subject of this application.

11.5 Some of the properties will accommodate solar panels. It is not considered that the solar panels will detract from the street scene.

11.6 Newcastle International Airport (NIA) have considered the submitted Glint and Glare Assessment. This assessment concludes there will be no impact to the operations at the Airport. The Airport has raised no objections to the installation of solar panels.

11.7 Members need to determine whether the proposed appearance is acceptable and whether it accords with policy DM6.1 and the Design Quality SPD and weight this in their decision. It is officer advice that the proposed appearance is acceptable and accords with national and local planning policies.

12.0 Landscaping

12.1 The National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment.

12.2 LP DM5.9 'Trees, Woodland and Hedgerows' supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

12.3 LP Policy DM5.5 'Managing effects on Biodiversity and Geodiversity' states that all development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

12.4 Policy DM5.7 'Wildlife Corridors' states that development proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

12.5 The objections relating to ecology are noted.

12.6 As part of 16/01885/FUL landscape parameters were considered and included a landscape buffer to the west and south boundary of this site and a landscape buffer between the built development and the listed buildings. The proposed layout accommodates these landscape buffers.

12.7 The comments from Northumberland Wildlife Trust are noted. Members are advised that they were consulted on the original grant of planning permission (Ref:16/01885/FUL) and the recently granted reserved matters application (Ref:19/0185/REM). No comments were received. The Council's Biodiversity Officer and Landscape Architect considered the landscape parameters as part of the original grant of planning permission, and they have also commented on previous reserved matters application.

12.8 The Council's consultees have been consulted and they have reviewed the submitted landscape plans. The Principal Ecologist has advised the landscape plans have been amended in response to previous comments and are generally considered acceptable. The landscape comments consider further amendments can be made to the landscape plans to further improve the scheme. These amendments include replacing trees along the highway running north south with an alternative species, further connectivity to the PRow to the north and widening a section amenity grass/wildflower to improve the perception of safety, and amending the mix native woodland trees. It is considered these amendments can be dealt with under the landscape condition attached to the original grant of planning permission.

12.9 Newcastle International Airport raise concerns regarding landscaping proposals with a planting mix that contains more than 10% berry-bearing species. Their comments are noted. Members are advised that the original grant of planning permission attached a landscape condition which requires details to be submitted for each phase. Albeit, landscape plans have been submitted, the applicant is still required to comply with the requirements of the condition and the Airport will be able to comment on those details.

12.10 Natural England has been consulted. They have advised that they have no comments to make.

12.11 The ecology issues associated with the development of this land for housing has been assessed and fully considered as part of application 16/01885/FUL.

12.12 The Principal Ecologist has confirmed the findings of the eDNA survey of two ponds within 500m of the site have returned negative results for Great Crested Newts (GCN). This report recommends works being undertaken to a precautionary working method statement for amphibians.

12.13 The Principal Ecologist has raised no objections subject to compliance with the conditions attached to application 16/01885/FUL, including those relating to the submission of detailed landscape plans for review, pre-commencement checks for badger, otter and water vole, lighting strategy and a long-term management plan. The condition attached below in relation to GCN should also be attached to the application.

12.14 Members need to consider whether the proposed landscaping would be acceptable and in accordance with policies DM5.7 and DM5.9 and weight this in their decision. Subject to conditions, it is officer advice that the proposed landscaping is acceptable and accords with national and local planning policies.

13.0 Other Issues

13.1 Conditions relating to gas and contaminated land were imposed as phased conditions as part of the hybrid application; the applicant will be required to comply with the requirements of this condition relating to the phases subject of this application. It is therefore not necessary to duplicate these conditions.

13.2 National Highways have been consulted. They have raised no objections.

13.3 The Tyne and Wear Archaeology Officer has been consulted. They have raised no objections. Conditions relating to archaeology were attached to the hybrid application.

13.4 Newcastle International Airport Limited (NIAL) has been consulted. The impacts on bird strike relating to drainage and landscaping were considered as part of the hybrid application. Conditions relating to bird strike, drainage and landscaping were imposed as part of the hybrid application; the applicant will be required to comply with the requirements of this condition relating to the phases subject of this application. It is therefore not necessary to duplicate these conditions.

13.5 Nexus have been consulted. Their comments are noted. Members are advised that the principle of the development, including securing appropriate mitigation, were secured under application 16/01885/FUL. As this is a reserved matters application, securing additional contributions cannot be revisited. Members are also advised that access is not being considered as part of this reserved matters application.

14.0 Local Financial Considerations

14.1 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

14.2 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms. It is not considered that New Homes Bonus or CIL contributions are material in terms of making this development acceptable in planning terms.

15.0 Human Rights Act

15.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests,

as expressed through third party interests / the Development Plan and Central Government Guidance.

15.2 Equalities and Diversities

Due regard has been had in considering this application to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that in so far as they are aware the application does not cause discrimination.

16.0 Conclusion

16.1 The site forms part of a designated housing site in the Council's Local Plan. The principle of residential development on this site has been firmly established by the previous planning application. The application relates to those details still to be approved. Officer advice is that the layout, scale, appearance and landscaping are acceptable. Members need to decide whether they consider that these reserved matters are acceptable.

16.2 Members are advised that the conditions attached to the hybrid application remain and will have to be to be complied with as development is progressed. It is therefore not necessary to repeat conditions which are already in place.

16.3 Approval is recommended.

RECOMMENDATION: Application Permitted

Conditions/Reasons

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

- Location Plan Dwg No. 322/A/LP/001
- Architectural Layout Dwg No. 322/A/GA/001 Revision K
- Ashdown proposed plans Dwg No. An_End R25 - 901
- Ashdown compliance plans Dwg No. An_End R25 - 902
- Ashridge proposed plans Dwg No. Ad_End R25 - 901
- Ashridge compliance plans Dwg No. Ad_End R25 - 902
- Barnwood proposed plans Dwg No. BW_Det R25 - 901
- Barnwood compliance plans Dwg No. BW_Det R25 - 902
- Braunton proposed plans Dwg No. Br_End R25 - 901
- Braunton compliance plans Dwg No. Br_End R25 - 902
- Danbury proposed plans Dwg No. Da_End R25 - 901
- Danbury compliance plans Dwg No. Da_End R25 - 902
- Darwin proposed plans Dwg No. Dw_End R25 - 901
- Darwin compliance plans Dwg No. Dw_End R25 - 902
- Galloway proposed plans Dwg No. Ga_End R25 - 901
- Galloway compliance plans Dwg No. Ga_End R25 - 902
- Greenwood proposed plans Dwg No. Gw_Det R25 - 901
- Greenwood compliance plans Dwg No. Gw_Det R25 - 901
- Haldon proposed plans Dwg No. Hd_End_R25 - 901

Haldon compliance plans Dwg No. Hd_End_R25 - 902
Kennet proposed plans Dwg No. Ke_End_R25 - 901
Kennet compliance plans Dwg No. Ke_End_R25 - 902
Lambridge proposed plans Dwg No. Ld_Det_R25 - 901
Lambridge compliance plans Dwg No. Ld_Det_R25 - 902
Marston proposed plans Dwg No. Ma_Det_R25 - 901
Marston compliance plans Dwg No. Ma_Det_R25 - 902
Saunton proposed plans Dwg No. Sa_End_R25 - 901
Saunton compliance plans Dwg No. Sa_End_R25 - 902
Sherwood proposed plans Dwg No. Sh_Det_R25 - 901
Sherwood compliance plans Dwg No. Sh_Det_R25 - 902
Silverdale proposed plans Dwg No. Dp_Det_R25 - 901
Silverdale compliance plans Dwg No. Dp_Det_R25 - 902
Thorncombe proposed plans Dwg No. Tc_Trad_End_R25-901

Thorncombe compliance plans Dwg No. Tc_Trad_End_R25-902
Ashdown Proposed traditional elevation Dwg No. An_End_R25-T001
Ashridge Proposed traditional elevation Dwg No. An_End_R25-T001
Barnwood Proposed traditional elevation Dwg No. Bw_Det_R25-T001
Barnwood Proposed village elevation Dwg No. Bw_Det_R25-V012
Braunton Proposed village elevation Dwg No. Br_Mid_R25-V012
Braunton Proposed traditional elevation Dwg No. Br_End_R25-T001
Burnham Proposed village elevation Dwg No. Du_Det_R25-V012
Danbury Proposed village elevation Dwg No. Da_End_R25-V012
Danbury Proposed traditional elevation Dwg No. Da_End_R25-T001 (mid
and end)

Darwin Proposed traditional elevation Dwg No. Dw_End_R25-T001
Galloway Proposed traditional elevation Dwg No. Ga_End_R25-T001
Greenwood Proposed traditional elevation Dwg No. Gw_Det_R25-T001
Greenwood Proposed village elevation Dwg No. Gw_Det_R25-T001
Haldon Proposed traditional elevation Dwg No. Hd_End_R25-T001
Kennet Proposed traditional elevation Dwg No. Ke_End_R25-T001
Kennet Proposed village elevation Dwg No. Ke_End_R25-V012
Lambridge Proposed traditional elevation Dwg No. LB_Det_R25-T001
Lambridge Proposed village elevation Dwg No. LB_Det_R25-V012
Marston Proposed traditional elevation Dwg No. Ma_Det_R25-T001
Marston Proposed village elevation Dwg No. Ma_Det_R25-V012
Saunton Proposed traditional elevation Dwg No. Sa_End_R25-T001
Saunton Proposed village elevation Dwg No. Sa_End_R25-V012
Sherwood Proposed traditional elevation Dwg No. Sh_Det_R25-T001
Silverdale Proposed traditional elevation Dwg No. Dp_End_R25-T001
Silverdale Proposed village elevation Dwg No. Dp_End_R25-V012
Thorncombe Proposed traditional elevation Dwg No. Tc_Trad_End_R25-
9013

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of this reserved matters.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; include 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, provision of water bowsers, wheel washing and road cleaning facilities with mechanical sweepers. 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. If the agreed measures are not operational, then no vehicles shall exit the development site onto the public highway.

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

3. No part of the development shall be occupied until details of a suitable crossing point from the development to the north of the existing Public Right of Way (from the A186 Station Road accessing East Benton Farm and Cottages) to the application site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with these agreed details prior to first occupation and retained thereafter.

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

4. Prior to occupation a noise scheme shall be submitted to and approved in writing by the local Planning Authority. This shall provide details of the window glazing and ventilation scheme to be provided to habitable rooms in accordance to noise report reference LAE1242.1 to ensure bedrooms meet the good internal equivalent standard of 30 dB LAeq at night and prevent the exceedance of LMAX of 45 dB(A) and living rooms meet an internal equivalent noise level of 35 dB LAeq as described in BS8233 and the World Health Organisation community noise guidelines. Thereafter, the development shall be carried out in accordance

with these agreed details which shall be implemented prior to the occupation of each dwelling and permanently retained.

Reason: In order to protect the amenity of future occupants from undue noise and disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

5. Prior to the commencement of any part of the development hereby approved above damp proof course, details of external features including extractor vents, heater flues, alarm boxes, meter boxes and satellite dishes shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be implemented, retained and maintained unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interest of visual amenity having regard to policy DM6.1 of the North Tyneside Local Plan 2017.

6. Prior to the commencement of any part of the development hereby approved a detailed drawing showing the outfall into the Wallsend Burn Tributary with the appropriate erosion control measures incorporated into the design shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Thereafter the development hereby approved shall be carried out in accordance with these agreed details which shall be permanently maintained and retained.

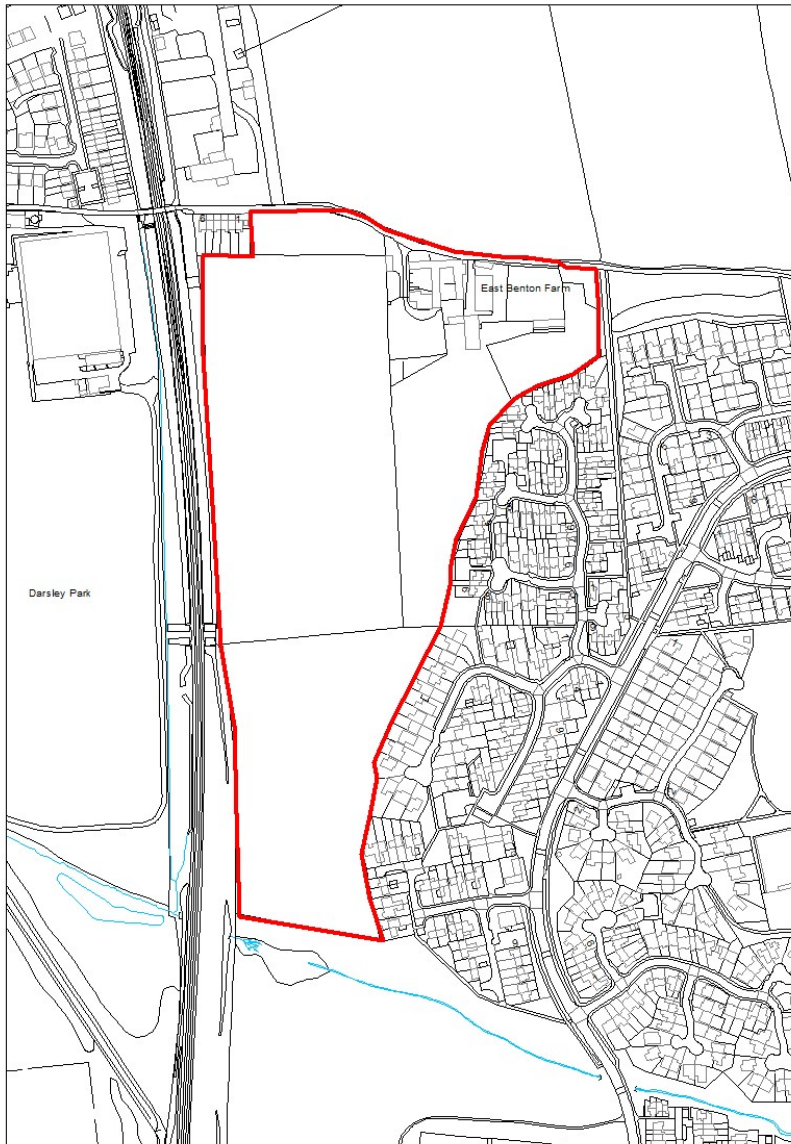
Reason: To secure an appropriately designed drainage system to prevent flood risk having regard to the NPPF (December 2023).

7. All works on site shall be undertaken in accordance with the measures set out in the Amphibian Method Statement attached in Section 7 of the 'Great Crested Newt eDNA Survey Report' (OS Ecology May 2024). If works have not commenced on site by 2026, updating survey work for great crested newt will be required.

Reason: In the interests of wildlife protection having regard to policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

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

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



Application reference: 23/01222/REM

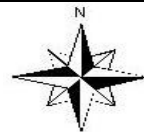
Location: Land To The West Of Station Road North And, Land South Of East Benton Farm Cottages, Station Road North

Proposal: Reserved matters application for the submission of details of appearance, landscaping, layout and scale in respect of the erection of 199 dwellings, garages, car parking together with associated boundary treatment and infrastructure pursuant to hybrid application 16/01885/FUL

Not to scale

Date: 23.05.2024

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 AC0000820329



**Appendix 1 – 23/01222/REM
Item 1**

Consultations/representations

1.0 Internal Consultees

1.1 Team Leader – New Developments (Highways)

1.2 This is a reserved matters application for details of appearance, landscaping, layout, and scale in respect of the erection of 199 dwellings, garages, car parking together with associated boundary treatment and infrastructure pursuant to hybrid application 16/01885/FUL.

1.3 The original hybrid application (16/01885/FUL) was granted permission in 2017 and previously permission was granted on appeal for the development on the other side of Station Road (12/02025/FUL) known as East Benton Rise in 2014.

1.4 A Transport Assessment (TA) was included as part of the previous applications that assessed the local highway network and the following off-site highway improvements have been agreed as part of the two previous applications:

1.5 Station Road East (12/02025/FUL):

New roundabout junction to the south of the site
Secondary T-junction access to the north of the site
Traffic signals at the junction of Hotspur Road
Localised widening at the junction of Mullen Road & Wiltshire Drive
Improvements to the junction with the A1058 Coast Road
Improvements to junction of A186 Station Road & A191 Whitley Road roundabout

1.6 Station Road West (16/01885/FUL):

New roundabout junction at the site access (north)
Alterations to the roundabout junction at the site access (south)
New traffic signals with pedestrian & cycle crossing facilities at the junction of the A1058 (Coast Road) & A186 (Station Road North)
Toucan crossing on the A191 to the east of Proctor & Gamble connecting into existing routes
Localised road widening
Upgrade & widening of footpaths surrounding the site
Connection & enhancements to the continuous shared footway/cycleway on southern side of A191 (Whitley Road)
Associated street lighting
Associated drainage
Associated road markings
Associated Traffic Regulation Orders
Associated street furniture & signage

1.7 The principle of development has already been tested at the outline stage and the proposed layout is acceptable in terms of allocated parking, visitor parking, highway layout and traffic calming. Appropriate conditions and

informatives were included on the original application. Approval is recommended with two additional conditions.

1.8 Recommendation - Conditional Approval

1.9 Conditions:

No part of the development shall be occupied until details of a suitable crossing point for the existing Public Right of Way from the A186 (Station Road) accessing East Benton Farm & Cottages has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; include 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, provision of water bowsers, wheel washing and road cleaning facilities with mechanical sweepers. 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. If the agreed measures are not operational, then no vehicles shall exit the development site onto the public highway.

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

1.10 Manager for Environmental Health

1.11 I have reviewed the noise assessment for the proposed development which has considered the existing and future noise levels affecting the proposed site.

1.12 The noise assessment included for background noise monitoring over 4 days. The noise levels for the western boundary of the site are influenced by rail noise and to the north and eastern boundary by road traffic noise. Noise levels were assessed as 51-55 dB LAeq during the daytime and 43-45 dB LAeq during the night period for the western boundary. Maximum noise levels from trains were generally below 70 dB and the site not considered high risk. Noise levels for the eastern boundary were in the region of 47-50 dB LAeq during daytime and 41-44 dB LAeq during the night. The future noise exposure was also modelled based on the future traffic flows. Noise modelling has shown that gardens will meet noise levels below 50 dB LAeq 16hr. A glazing and ventilation scheme has been proposed for the site for those properties where enhanced glazing is required and passive acoustic ventilation for those plots where internal noise levels will not be

achieved with open window. The assessment has determined that the properties will not be subject to overheating.

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

Prior to occupation a noise scheme shall be submitted to and approved in writing by the local Planning Authority. This shall provide details of the window glazing and ventilation scheme to be provided to habitable rooms in accordance to noise report reference LAE1242.1 to ensure bedrooms meet the good internal equivalent standard of 30 dB LAeq at night and prevent the exceedance of LMAX of 45 dB(A) and living rooms meet an internal equivalent noise level of 35 dB LAeq as described in BS8233 and the World Health Organisation community noise guidelines. Thereafter, the development shall be carried out in accordance with these agreed details which shall be implemented prior to the occupation of each dwelling and permanently retained.

HOU03
SIT03

1.14 Manager for Environmental Health (Contaminated Land)

1.15 The site lies within 250m of two known landfills, namely the Powder Monkey c.65m south of the site and Benton Quarry c. 243m northwest of the site.

1.16 Due to the proposed sensitive end use and the location of the two landfills the following should be attached:

Con 003
Con 004
Con 005
Con 006
Con 007
Gas 006

1.17 Design

1.18 The proposed layout follows the indicative masterplan submitted with application 16/01885/FUL. The general scale and design compliments the wider site. The layout generally has positive development edges with units facing outwards over open space and green links. Units around key junctions enhance the spaces with buildings designed to turn street corners well.

1.19 Four different character areas are proposed which respond to different parts of the site. Two house type ranges are proposed: traditional and village. It is not clear where each house style would be used, and this should be illustrated on a plan.

1.20 The proposed development includes a range of densities and building heights. The proposed building heights are 2, 2.5 and 3 storey development. This has the potential to create visual interest, however a range of building heights also results in a range of roof pitches. The layout and arrangement of different roof pitches needs careful consideration to contribute towards a well-designed street scene. The indicative image of the Pocket Green Character Area shows an

example of where a change in roof pitch disrupts an otherwise well design street. This issue should be reviewed across the proposed development.

1.21 Elevations should be submitted for semi-detached units which are made up of different house types, such as the Brauton and Thornecombe, to demonstrate that they sit well together. Where the Danbury and Silverdale are shown as semi-detached units, the layout plan shows an incorrect roof form which does not match with the proposed elevations. Revised plans are required.

1.22 The site is within the setting of the grade II listed East Benton Farm and farm buildings. The proposed development will have some impact on its setting, however the principle of housing on the site has already been established. The detailed design has considered the listed buildings and responds with a specific character area with lower density housing and a landscaped buffer.

1.23 Street trees are included in landscaped verges and front gardens. To the west of the site, landscaping has been designed to minimise noise from the train line. There are small areas of open space, which have been designed for biodiversity enhancements. There is little open space for recreation and play, however the site is within proximity of other areas of amenity open space.

1.24 The layout includes corner plots. Some corner plots on earlier phases of development have unattractive soil and waste pipes on their side elevations. Further information should be submitted to demonstrate that the location of waste pipes is sensitively considered on corner plots and would be on the rear elevation. The location of utility boxes also needs to be considered, although the detailed location could be conditioned.

1.25 Areas for waste storage have not been identified. These should be shown on the site plan and located within rear gardens. Further information is required. Parking is generally well designed away from key corner plots and views. Boundary treatments are well designed to support the street scene. A surface treatment plan has been submitted which shows that visitor parking is surfaced in block paving to support the street scene. Key junctions should also be surfaced in block paving rather than tarmac. Further information is required about the proposed surface materials for shared drives and private drives.

1.26 The layout integrates well with earlier phases. A pedestrian route is proposed to the south of the site which will provide pedestrian connectivity to the wider area. The surface treatment plan shows this link as a tarmac path; however, the landscape plan shows this as an informal green link. The proposed design of this link should be confirmed, along with details of any lighting.

1.27 The further information and amendments requested above should be provided to the planning case officer within a timescale that would allow for the case to be determined within its deadline.

1.28 Suggested Conditions:

MAT03 Materials Building Schedule

LAN005 Landscape Scheme Implementation Period

DES01: External Features

1.29 Lead Local Flood Authority (LLFA)

1.30 I have carried out a review of the drainage proposals detailed in planning application 23/01222/REM. I can confirm in principle that I have no objections to the proposals as the applicant will be providing surface water attenuation within the development for a 1:100 year return period plus an allowance of 45% for climate change plus an additional 10% allowance for urban creep. The surface water attenuation will be achieved via the use of two storage basins located within the development. The surface water exiting the site will be restricted via the use of a hydro brake to 15.8 l/s the flows will then pass through a downstream defender to capture any pollutants prior to the surface water from the development discharging into the Wallsend Burn tributary.

1.31 I would recommend a condition is placed on the application requesting a detailed drawing showing the outfall into the Wallsend Burn Tributary with the appropriate erosion control measures incorporated into the design.

1.32 Landscape

1.33 No objection, modifications suggested.

1.34 Reasons for Recommendation

1.35 The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

1.36 The application is for details of appearance, landscaping, layout and scale in respect of the erection of 199 dwellings, garages, car parking together with associated boundary treatment and infrastructure pursuant to hybrid application 16/01885/FUL.

1.37 The proposed development seeks to include extensive areas of landscaping and the species of trees and hedges are accepted. The amendments to the boundary treatment through discussion with the agent are welcomed.

1.38 However, the following recommendations are suggested:

1.39 Amendments to the proposed landscaping plans would include the following points:

-Landscape Construction Softworks – Phase 4 Sheet 1 of 9 (drawing reference 140454/8101 Revision B) and Landscape Construction Softworks – Phase 4 Sheet 3 of 9 (drawing reference 140454/8103 Revision B) – Replace street trees *Fagus sylvatica* with *Carpinus betulus* ‘Frans Fontaine’ along the highway running north south.

-Landscape Construction Softworks – Phase 4 Sheet 2 of 9 (drawing reference 140454/8102 Revision B) – The path running through the amenity area should connect to the public right of way to the north. Also, the path through the woodland area should include a wider section of amenity grass/wildflower seeding on either side of it to improve the perception of safety.

-Landscape Construction Softworks – Phase 4 Sheet 9 of 9 Specification and Schedule (drawing reference 140454/8109 Revision C) - Some of the trees listed in the native woodland are more typical with a woodland edge planting mix and

should be removed and a greater proportion of native large woodland specimen trees included in the woodland planting mix.

1.40 Principal Ecologist

1.41 Updated landscape plans (Landscape Sheets 1-9 Rev C) have been submitted in response to previous comments on landscaping and are generally considered acceptable. Additional information has also been provided in relation to updated survey work for Great Crested Newt (GCN) given the location and proximity of ponds to the development site. The report undertaken by OS Ecology (May 2024) has assessed the ponds within proximity to the site and submitted the findings of eDNA survey of two ponds within 500m of the site, both of which have returned negative results for GCN. The report recommends works being undertaken to a precautionary working method statement for amphibians.

1.42 I have no objection to the application subject to compliance with the conditions attached to application 16/01885/FUL, including those relating to the submission of detailed landscape plans for review, pre-commencement checks for badger, otter & water vole, lighting strategy and a long-term management plan. The condition attached below in relation to GCN should also be attached to the application.

1.43 Conditions:

All works on site shall be undertaken in accordance with the measures set out in the Amphibian Method Statement attached in Section 7 of the 'Great Crested Newt eDNA Survey Report' (OS Ecology May 2024). If works have not commenced on site by 2026, updating survey work for great crested newt will be required.

2.0 Representations

2.1 14 objections have been received. These are set out below:

- Impact on landscape
- Inappropriate design
- Loss of privacy
- Loss of residential amenity
- Loss of visual amenity
- Adverse effect on wildlife
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Out of keeping with surroundings
- Traffic congestion
- Will result in visual intrusion
- Inadequate drainage
- Inadequate parking provision
- Inappropriate design
- Loss of/damage to trees
- Affect character of conservation area
- Affect setting of listed building
- Precedent will be set
- Within greenbelt/no special circumstance

- Poor traffic/pedestrian safety
 - Poor/unsuitable vehicular access
 - Inappropriate in special landscape area
 - The flood report for this development clearly states that the land is unsuitable for any development so how has planning got this far.
 - This development clearly impacts on privacy.
 - The estate already has limited access as it is and this will severely impact on this.
 - Has consideration been taken on the access to and from people's properties.
 - Is there enough local amenities in the area considering 500+ houses have already been built in the last couple of years, meaning schools spaces in the local area will be limited.
 - Why has no consideration been taken for current boundaries. Consideration has been taken in past development there is no need to build directly to the fence line.
 - With the houses being built so close to the current perimeter light from the west will now be limited affecting property light. Dust/noise and lack of visual amenity with degrading wildlife, not to mention the rodents that come with building.
 - This will significantly affect current house values as privacy will be no more, not to mention the dirt that comes along with it affecting our properties.
 - I recently purchased my property and nothing came back on the searches for this development. This has significantly impacted my purchase.
 - The revised site plan and landscape plans submitted still make no concession to all the houses on Ryedale and Rosedale which back directly onto all the new properties gardens with no screening and no barrier. They might have added extra landscaping along the railway boundary, but they need to concentrate on the eastern boundary.
 - Responses to consultees relate only to design within the new development and not the impact on existing residents. Why not move the access road down the middle of the development to the east side and landscape behind that area. They should still be able to cram as many units in, and it would greatly reduce intrusion into existing homes. Tell them to look beyond their own boundaries and consider those who have lived here and paid their taxes.
 - Consultation letter not received until one week later than the date of the letter and I must respond within 21 days. Why has the letter taking one week to arrive?
 - The consultation letter states "cannot take into account matters such as property value".
- Why is this not taken into consideration? When the location and the area (not being overlooked) was considered when valuing my property at the time it was on the market for sale. I only bought it earlier this year and now my house value will be heavily affected. I have since had my house valued by a local Estate Agent who has advised me my property will decrease in value should the development go ahead.
- Not everyone has received a letter. What radius have you used to contact residents to have their say.
 - The case officer advised during our conversation that the application has been in place since 2016. I purchased my property in January 2023, and this did not show on any of the search reports. Why did this not show on any of these reports? Furthermore, the plan that has been submitted is out of date by some margin. It has my property footprint from before 1997.

- The case officer advised that the development made a contribution to the local education system. Where has this been reflected? I have lived on this estate for 27 years and attended said Schools and no development has taken place nor has the surrounding infrastructure been updated to accommodate for this. This includes local transport, roads and facilities.
- The local wildlife will be affected too! Over 750 houses have recently been constructed within a half-mile radius. Please advise how you will be addressing this.
- Local Schools are already at capacity, and it is hard to get placements as it is. Why has this not been factored into the application along with local facilities such as parks, local football pitches, and communal areas? They are all gone now with no green land left to use. So, do you know if local amenities are going to be increased?
- With current construction sites, a local SUDs has been constructed, has this been considered in the application? If so, where? Looking at the plans it does not like there are going to be SUDs.
- Please confirm who will be heading this meeting and who will be on the panel? So that I can ascertain if the community is being rightly represented.
- Construction has already started for the new through road leading to the potential estate. Why has work commenced if no planning has been granted?
- We already have limited access to the rear of our home; this plan will mean that we will have no access to the rear of our house.
- Since the developments on either side of Station Road have progressed we have witnessed a significant decline in the wildlife population.
- On my property we have a colony of bats (protected habitat and feeding area will be lost).
- The plans are not updated and do not account for the fact my property has an extension. So, the planning application is looking to completely build up to the side of my property. It will also block all the light to my property. What type of dwelling will be in my view from my back garden i.e. large houses, block of flats etc and what about the bats that live in the barn is this to be converted and are the stables to be demolished?
- The field to the rear of my house is prone to flooding and is constantly waterlogged. I supplied photos to highlight this in my last letter to you under my objection to planning application 16/01885/FUL and I can confirm the situation has not changed. I can supply further evidence of this if required. From my understanding, the drainage proposal ('SUDs') is for two cylinders buried underground for surface water to flow into. Once these cylinders are full the water will then be discharged into the burn, which doesn't have the capacity to deal with a heavy storm. It's not clear from the associated documents what, if any, studies have been done to prove the burn can take the extra capacity created by the removal of the green land, being replaced with the proposed properties. The addition of the new properties will increase the likelihood of flooding. This would also make my property at a significantly increased risk of flooding by displaced water not being able to escape. In the 23 years I have lived in my property I have not suffered from flooding, so who would recompense any damage to property caused by flooding created by the additional houses? This is a huge concern as the "1 in 100 years" event can no longer be deemed accurate because of climate change, making these events more frequent.
- Station Road is already extremely congested at peak times and the new developments has significantly added to this. Persimmon stated they would

improve the approach to the main Station Road/Coast Road roundabout and manage exit from Wiltshire Drive to reduce congestion. In document reference APP/W4515/A/13/2210012 dated 15 December 2014 from Persimmon Homes, it stated: “vi) A scheme for improvements to the junctions of Station Road with Coast Road and Wiltshire Gardens, to be implemented prior to the occupation of the 175th dwelling. The scheme shall include the removal of the mini-roundabout at the junction of Station Road and Wiltshire Gardens with restricted vehicular movements, the widening of the Coast Road off-slip road, construction of an exit from Wiltshire Gardens onto the Coast Road off-slip road with restricted vehicular movements, improved pedestrian and cycle crossing facilities, a swept path analysis of all junction layouts, and a stage 1 road safety audit”. I’ve seen no evidence of this in further documents and the pavements and roads on Station Road have not been cleaned regularly as part of the original planning agreement. This new development will add more mud and debris from excavation removal and building deliveries to Station Road and associated roads. Who monitors this to make sure this work is carried out?

-The original traffic study was carried out in November 2016 and needs to be repeated with the current situation, exacerbated by the Station Road developments, before this new development is allowed to proceed. Pollutants from car fumes has increased considerably as more cars are using Station Road, with Wiltshire Drive being used by many drivers to circumvent the congestion and not sticking to the 20mph speed limit, creating increased risk of accidents and additional pollution. The additional cars and deliveries of potential homeowners due this application will considerably add to this, creating a more toxic environment for all.

-Road accidents in the area bring Station Road to a standstill. This has also led to a deterioration in the condition of the roads, which are in a shocking state and an increase in pollution.

There has already been an increase in rats in the area with their habitat being disturbed with the building of Fallow Park.

This application does not fully reflect the approved Outline Planning Application, with buildings extending further into the field/land in the area to the South of the East Benton Farm House/out buildings so greatly, negatively impacting the visual amenity for existing residents of Hadrian Lodge West.

-Since developments have been established and building work continues in the area there has been a significant decline in local wildlife. With the disappearance of bats, rabbits, hares, hedgehogs, and foxes. This tragic decline will be accelerated if this development goes ahead.

-Rush hour traffic has already greatly increased as the developments on either side of Station Road, this build-up of congestion will increase as more houses are build. Leading to increased air pollution in the area. This is contrary to the Councils own emissions reduction policy. Therefore, this development should not go ahead.

3.0 External Consultees

3.1 National Highways

3.2 The reserved matters application for 200 dwellings (23/01222/REM) is pursuant to the hybrid application: 16/01885/FUL; which was granted planning permission for the development of up to 593 dwellings.

3.3 The delivery of this development is split into several phases, with this application forming 'phase 3'. The site's planning context can be summarised as follows:

-16/01885/FUL: full planning permission for 175 dwellings

-16/01885/FUL: outline planning permission for 418 dwellings (19/01085/REM: full permission for 66 dwellings, 21/02460/REM: full planning permission for 115 dwellings, and 23/01222/REM planning application for 200 dwellings).

3.4 This reserved matters application is within the remaining quantum of development that was granted outline planning permission as part of application reference: 16/01885/FUL (considering the above reserved matters applications). Furthermore, National Highways offered no objection to applications 16/01885/FUL, 19/01085/REM, and 21/02460/REM.

3.5 We would therefore conclude that this application falls within the number of dwellings considered and assessed as part of the outline planning application and supporting transport assessment; no further transport assessment work is required in support of this application.

3.6 Newcastle International Airport (NIA)

3.7 Landscaping

3.8 Certain types of landscaping can be bird attracting, providing a habitat/feeding source for birds with the potential to result in an increase in bird strike incidences. The following species below should not be used on site in quantities greater than 10%, in order to prevent the creation of bird attracting features on site. This should be conditioned as part of the planning permission. While a landscape masterplan has been provide, no detailed planting schedules have been provided. We request that we are consulted on any revised or new planting schedule for any landscaping or mitigation area, this should outline the percentage of species types and conditioned upon planning decision.

3.9 Bird Strike Risk Assessment

3.10 It is noted that a Bird Strike Risk Assessment was conducted as part of the original hybrid planning application. Details of which identified that the proposal would not lead to an unacceptable rise in bird activity on the site. It is noted that suds features are proposed as part of this reserved matters application. The previous Bird strike risk assessment recommended that a Bird Hazard Management Plan is set in place for the site. The Airport wishes to see the production of a bird hazard management plan to highlight the long-term bird management of the site. This should be conditioned as part of any decision notice.

3.11 Glint & Glare

3.12 It is noted that the dwellings proposed benefit from PV panels on each roof. When considered as a whole, this has the potential to cause glint and glare impacts to the aerodrome. It is welcoming to note that a glint and glare assessment has been undertaken as part of the proposal. The assessment concludes that there will be no impact to the operations at the Airport. The aerodrome is located 9.1km away. The Airport agrees with the assessment and raises no objection from a glint and glare perspective.

3.13 Northumbria Police

3.14 We would like to make the following comment to the layout of the development as well as the boundary treatment.

3.15 The rear car park islands, we recommend have an increased lighting scheme so not to allow these areas to become vulnerable to attack or a dark place to aid in the concealment of persons or items. This is applicable for where there are three dwellings blocked together and there is a necessity for rear access to the middle garden.

The Ashridge portal access to the rear parking island we recommend has sufficient lighting again not create a dark space under the building and as well as lighting to cover the rear access to the garage. The improved lighting covering the potential darker areas has the ability to reduce the likelihood of the area being more accessible for the acquisition of crime in the rear areas of the dwellings.

3.16 We welcome the ecological nature of the development and that it is endeavouring to retain a rural feel. We hope that the planting strategy does not compromise the neighbouring dwelling being able to overlook each other and to provide natural surveillance within the neighbourhood and for that reason we would hope that the arboriculture strategy incorporates the 3X8 principle (i.e., This involves a 3-foot maximum height for shrubs (to avoid them being tall enough for a person of average height to hide behind and raising tree canopies where possible to 8-foot). As well as reducing dark areas around the dwelling as much as possible.

3.17 We would like to take this opportunity to promote the adoption of the Secured by Design standard for the development. Given the existing requirements of Approved Document Q, the extra step in achieving SBD accreditation is minimal and independent research proves that Secured by Design developments that include crime prevention techniques in the built environment and accredited products like doors and windows can reduce crimes like burglary by up to 75% in new-build homes and greatly improve the sustainability of products used leading to a better return on investment.

3.18 Natural England

3.19 Natural England has no comments to make on this reserved matters application.

3.20 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.

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

3.22 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 local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

3.23 We recommend referring to our Site of Special Scientific Interest 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>

3.24 Northumberland Wildlife Trust

3.25 Unfortunately, I have not seen the original outline planning application and ecological impact assessment, so can only comment on those documents and the information provided within the reserved matters application.

3.26 The Landscape Plan proposes areas of native hedge, native tree planting and meadow creation. Firstly, NWT would ask that these areas are increased in size and a habitat link is provided in a north-south and east-west direction within each stage of the development.

3.27 Secondly, we would request that all hedgerows are locally native and species-rich, including eight or more species, with standard trees. Examples of these hedgerows are provided on nearby land at the extension to the Rising Sun Countryside Centre. Space needs to be left around the hedgerows to allow them to reach their potential and provide suitable habitat for wildlife. Woodland mixes need to be of an appropriate local woodland type, as would be found naturally in local native woodland. The species listed as native are not all locally native and the NWT request that the landscape plan is altered to include only locally-native species within the wildlife areas. Dogwood (*Cornus sanguinea*) is not locally-native to the North East of England (please see *Flora of Northumberland*, G. Swan, which covers North Tyneside). We would request that dogwood is replaced in the hedgerow mix with a more appropriate locally-native species such as holly (*Ilex aquifolium*) or guelder rose (*Viburnum opulus*). Beech (*Fagus sylvatica*) is not locally-native to the North East of England, the Wildlife Trust would again request the replacement of this species with a more appropriate species such as pedunculate oak (*Quercus robur*).

3.28 Wildflower meadows are proposed for this stage of the development. Please ensure that the species-mix proposed is locally-native, that appropriate methods for their successful establishment are agreed and an appropriate management regime is agreed with the council Biodiversity Officer as a condition of this application.

3.29 Finally, the ornamental planting areas should be planted with ornamental species that will be more beneficial to wildlife, this would include shrubs that provide nectar-rich flowers and an extended flowering period or flower in early

spring or late autumn. Berry-bearing species such as ornamental rowan may also be considered to enhance the areas for some bird species.

3.30 As a minimum, all habitat creation needs to be conditioned and before commencement of work on site, species list should be approved by the Biodiversity Officer.

3.31 Nexus

3.32 General Comments

3.33 Since Nexus initially provided comments in relation to planning application 16/01885/FUL, there have been a number of changes to public transport provision around this development site. A summary of these changes and Nexus' associated comments are provided in the subsequent sections.

3.34 Existing Public Transport Provision

3.35 Since the last edition of the Transport Assessment was produced, bus routes currently serving Station Road North have changed significantly. The current provision as of October 2023 is summarised as follows:

- 335 Hadrian Park to Killingworth – 1 service per hour Monday to Saturday daytime only.
- 342 Wallsend to Westerhope – 1 service per hour all day, every day.
- 351 Whitley Bay/Holystone to Newcastle – 1 service per hour all day, every day.
- 392 Marsden Estate to HMRC Benton Park View – 1 trip per day, Monday to Friday only.

3.36 This means the development is served by three buses per hour Monday to Saturday daytime and two bus services per hour during evening and Sunday hours in each direction. This is half of the service level that was provided at the time the original application 16/01885/FUL, yet there has been a significant increase in new housing for this area, including more planned as part of this planning application.

3.37 The Nexus Planning Liaison Policy states that as a minimum, bus services should operate with a 30-minute frequency between the hours of 6.30am and 6.30pm Monday to Saturday. Outside of these times, Nexus views that, at a development of this size, bus services should operate with a minimum of an hourly frequency during evening and Sunday hours. Residents of new developments should be able to access a variety of key services, including doctor's surgeries and local shops, within 30 minutes, door to door, using public transport. In the context of this development, the nearest local centre is Wallsend and main centre is Newcastle City Centre.

3.38 In addition to changes in the level of bus provision, the developer/applicant should also be mindful that, on Metro, the additional peak trains that were provided have been withdrawn and therefore a 12-minute frequency now applies throughout daytime hours. The average peak 6-minute frequency as outlined in section 3.25 of the Transport Assessment therefore now no longer applies.

3.39 Developer Contribution

3.40 As a result of current provision falling short of the above standards, Nexus requests that the developer/applicant provides funding to cover an enhancement

of service frequency in this area. Nexus would be happy to engage with the developer/applicant to provide estimated costs or can alternatively provide contact details for local commercial operators who may also be interested in the opportunity to work with the developer/applicant on providing the required public transport provision.

3.41 Nexus also requests that the developer/applicant funds two Pop Pay As You Go cards per dwelling, each with £50 of pre-loaded credit, as per the Nexus Planning Liaison Policy. This will allow the bearer to travel sustainably on bus and Metro across Tyne and Wear and build up longer term sustainable travel behaviours. Application for the cards should be included within the Welcome Park for residents.

3.42 Proximity of Dwellings to Public Transport

3.43 Nexus wishes to seek additional clarification that the south-west corner of the proposed development site has access through to the bus stops on Wiltshire Drive. Leaving this area of the proposed development site without access to the bus stops, which risks a lower use of sustainable modes of transport and potentially leaves some residents isolated.

3.44 Furthermore, Nexus requests the developer/applicant provides a plan/map illustrating the walking distances to the nearest public transport access from each new dwelling. The Nexus Planning Liaison Policy states that new dwellings should be within 400 metre walk of a bus stop and within a 800 metre walk of the closest Metro station. A plan with distances from dwellings to public transport connections will allow Nexus to establish the number of dwellings that fall in excess of the 400 metre threshold.

3.55 Summary

3.56 Nexus views that the current level of public transport provision around the development site should be improved upon to encourage sustainable travel. Nexus cannot be fully satisfied with the public transport provision until the developer/applicant has engaged with Nexus to provide the additional information requested.

3.57 Network Rail

3.58 In relation to the above application I can confirm that Network Rail has no observations to make.

3.59 Tyne and Wear Archaeology Officer

3.60 I have no comments to make on this reserved matters application. The archaeological investigation required for this site is being carried out under conditions attached to hybrid application 16/01885/FUL.

3.61 Historic England

3.62 No comments.

