

Item No: 2
Application No: 22/00371/FUL
Date valid: 1 June 2022
Target decision date: 31 August 2022
Author: Maxine Ingram
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Ward: Camperdown

Application type: full planning application non major

Location: The Grey Horse, Front Street, Camperdown, NEWCASTLE UPON TYNE, NE12 5UT

Proposal: Conversion of existing pub (sui generis) into 3no. retail units at ground floor and the retention of existing hot food takeaway (sui generis) and 6no. apartments and 8no. new building apartments to the rear (Amended description and amended plans December 2024).

Applicant: Prophecy Group Ltd

Agent: GW Architectural Ltd

RECOMMENDATION: Application Refused

INFORMATION

1.0 Summary Of Key Issues & Conclusions

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

- Principle of the development,
- Impact on amenity and the character and appearance of the area,
- Impacts on highway safety; and,
- Other issues.

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 relates to the former public house, The Grey Horse. Most of the existing building is vacant with the exception of an operational hot food takeaway. Members are advised the hot food takeaway was approved in 2014. To the rear of the building are existing extensions. The land immediately to the rear has been cleared and it is fenced off.

2.2 The building fronts onto Front Street (B1515). There is an existing lay-by to the front and a bus stop located further west of the site. Immediately to the east of the site is an area of designated open space that is separated from a larger area of open space (Fryers Millenium Green) to the northeast by a footpath.

2.3 To the rear the site is bound by the two-storey residential properties of Allanville. To the west it is bound by Nos. 33 and 34 Front Street.

2.4 To the west side of the building are existing flues serving the hot food takeaway.

2.5 Part of the site is located in a wildlife corridor.

2.6 Members are advised a previously approved planning application, 20/01572/FUL, was granted permission to convert the existing building into seven apartments and a new build to the rear accommodating 8 apartments. This planning permission has lapsed. Members must determine this application on its own merits.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the conversion of the existing pub (sui generis) into 3no. retail units at ground floor and the retention of existing hot food takeaway (sui generis) and 6no. apartments at first floor and in the roof space. To the rear of the existing building 8no. apartments are proposed.

3.2 The existing building would be converted to provide three retail units with storage on the ground floor. The existing building would be extended to the side and rear to support the proposed conversion. The first floor would accommodate three apartments. Each apartment would have an open plan living room and kitchen, a bathroom and two bedrooms. The roof space would accommodate three apartments. Each apartment would have an open plan living room and kitchen, a bathroom and two bedrooms.

3.3 The proposed new build would be sited in the southeast corner of the site. It would accommodate eight apartments over three floors; one of which would be accommodated in the mansard roof. Each apartment would accommodate an open plan living room and kitchen, a bathroom and two bedrooms. The mansard roof would have a ridge height of approximately 8.5m. The lower pitched roof would have a ridge height of approximately 7.3m. The eaves height would be approximately 5.3m.

3.4 The site would be accessed from Front Street to the east side of the existing building. A bin store and visitor parking would be sited adjacent to the access. The remaining parking is proposed to the rear of the existing building. Small pockets of landscaping are proposed within the site.

4.0 Relevant Planning History

20/01572/FUL - Conversion of pub (A4) into 7 apartments (C3) with 8 new build apartments to rear - 15no in total with associated parking (amended plans received, amended FRA received 20.04.2021) – Permitted 25.08.2021

17/01058/ADV - Illuminated fascia box sign – Permitted 10.10.2017

17/01055/FUL - Variation of condition 8 of planning approval 15/00360/FUL. To extend opening hours until 23:00 Monday to Sunday – Permitted 05.09.2017

15/00360/FUL - Variation of condition 8 of planning application 14/01602/FUL: The premises shall be open for business only between the 11:00 until 14:00 and 16:00 until 22:00 Monday to Sunday – Permitted 22.05.2015

14/01602/FUL - Part change of use of existing pub (Use Class A4) to form a hot food takeaway (Use Class A5). The proposal also includes the installation of an extraction flue to the building (Re-submission 13/02094/FUL) – Permitted 08.12.2014

13/02094/FUL - Change of use of part of existing pub to form takeaway – Refused 02.05.2014

07/00144/FUL - Part change of use of public house to fish and chip takeaway – Refused 30.04.2007. Appeal dismissed 14.1.2008

07/02250/FUL - Erection of a single storey shelter (three sides open) for use as a sheltered smoking area (Retrospective) – Refused 01.10.2007

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (December 2024)

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;

- Principle of the development,
- Impact on amenity and the character and appearance of the area,
- Impacts on highway safety; and,
- Other issues.

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

8.0 Principle of the development

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 8 of NPPF states that a social objective is one of the three overarching objectives of the planning system and that amongst other matters it should seek to support a sufficient number and range of homes to meet present and future needs which support communities' health, social and cultural well-being.

8.3 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision takers should approve development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies or the policies which are most important are out-of-date grant planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. In this case, development plan policies important to the determination of housing applications will be regarded as out of date because the LPA cannot currently demonstrate a five-year supply of deliverable housing sites. What is referred to as the 'tilted balance' principle means there is a presumption towards planning permission being granted unless there are adverse impacts which would significantly and demonstrably outweigh the benefits.

8.4 Paragraph 12 of the NPPF makes it clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

8.5 Paragraph 61 of NPPF states that to support the Government's objective to significantly boost the supply of homes, it is important that sufficient amount and variety of land can come forwards where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

8.6 The NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites.

8.7 The purpose of the planning system is to contribute to the achievement of sustainable development. This purpose is key to the role of the planning system in the development process. The aims of how the Local Plan contributes towards achieving sustainable development for North Tyneside are set out under Policy S1.1 'Spatial Strategy for Sustainable Development'. This policy sets out the broad spatial strategy for the delivery of the objectives of the Plan.

8.8 Paragraph 91 of the NPPF states that 'Local Planning Authority's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'

8.9 Paragraph 104 of the NPPF states “Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current of former use.

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

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

8.12 Strategic Policy S4.2 (a) ‘Housing Figures’ requires new homes to be delivered over the plan period.

8.13 Strategic Policy S4.2(b) ‘Ensuring a Sufficient Supply of Housing Land’ requires a sufficient supply of housing land to be maintained over the plan period in order to ensure the delivery of the overall housing requirement for North Tyneside.

8.14 Policy DM1.3 ‘Presumption in Favour of Sustainable Development’ states: “The Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area....”

8.15 Policy DM5.2 ‘Protection of Green Infrastructure’ states that the loss of any part of the green infrastructure network will only be considered in the following exceptional circumstances:

- a. Where it has been demonstrated that the site no longer has any value to the community in terms of access and function; or,
- b. If it is not a designated wildlife site or providing important biodiversity value; or,
- c. If it is not required to meet a shortfall in the provision of that green space type or another green space type; or,
- d. The proposed development would be ancillary to use of the green infrastructure and the benefits to green infrastructure would outweigh any loss of open space.

Where development proposals are considered to meet the exceptional circumstances above, permission will only be granted where alternative provision, equivalent to or better than in terms of its quantity and quality, can be provided in equally accessible locations that maintain or create new green infrastructure connections. Proposals for new green infrastructure, or improvements to existing, should seek net gains for biodiversity, improve accessibility and multi-functionality of the green infrastructure network and not cause adverse impacts to biodiversity.

8.16 Policy DM5.3 'Green Space Provision and Standards' states that accessible green space will be protected and enhanced to be of the highest quality and value. New development should sustain the current standards of provision, quality and value as recorded in the most up-to-date Green Space Strategy. Opportunities should be sought to improve provision for new and existing residents.

8.17 Policy DM4.5 'Criteria for New Housing Development' states that proposals for residential development on sites not identified on the Policies Map will be considered positively where they can:

Make a positive contribution to the identified housing needs of the Borough; and,
Create a, or contribute to an existing, sustainable residential community; and,
Be accessible to range of sustainable transport modes; and,
Make the best and most efficient use of available land, whilst incorporating appropriate green infrastructure provision within development; and,
Be accommodated by, and make best use of, existing infrastructure, and where further infrastructure requirements arise, make appropriate contribution to its provision; and,
Make a positive contribution towards creating healthy, safe, attractive and diverse communities; and,
Demonstrate that they accord with the policies within this Local Plan.

8.18 Representations supporting the principle of this development have been received. These comments support the level of housing and retail proposed.

8.19 The objections regarding the principle of this development are noted. These objections do not consider additional apartments or retail units are needed and they do not support the loss of the open space. Members are advised that land ownership matters must be resolved between the relevant parties. In this case, the applicant does not own all the land required to deliver the development proposed and their development may not be delivered if they cannot acquire the land. The onus is on the applicant to ensure they have carried out their own search to obtain landowner information and serve notice on any relevant parties that they have submitted a planning application.

8.20 The site is located within a built-up area of Camperdown. The site has access to local services and public transport (bus services). The proposed development would bring a largely vacant building back into use.

8.21 The site is not located within a town, district or local centre. Policy DM3.6 'Local Facilities' does permit small-scale out of centre facilities. Given the nature and size of the retail units proposed it is not considered that a sequential

assessment is necessary. The proposed retail units would enhance existing local service provision, and it would be within walking distance of the neighbouring population to this part of the borough. It is not considered that this development would significantly affect the vitality of the Killingworth Town Centre.

8.22 The land to the east of the building is designated as open space and forms part of the wider Fryers Millenium Green. The applicant considers this open space to be an underutilised grassed area that due to its proximity to the road and former pub does not provide any functional useable space. The proposed development would not affect the adjacent footpath. They consider the park to the northeast to be the main focal point of open space. The site is also close to Burradon Community Recreation Ground. They consider the loss of the open space to be acceptable and to be adequately compensated for by the pockets of open space within the site.

8.23 The open space that would be lost as result of this development forms part of a wider area that is dissected by an existing footpath. It provides an important visual break when viewed from the wider street scene. The loss of most of this part of the open space to accommodate a site access, bin store and visitor parking erodes the sense of openness of this part of Burradon. The open space to be retained to the east of the existing building would be limited in terms of its functionality and visual benefits. The small pockets of open space would not be for public use and would provide limited amenity value for future occupants.

8.24 The principle of bringing this site forward for development is not supported. The benefits of bringing a vacant building back into use do not outweigh the harm identified above or in the latter parts of this report. As such, the proposed development is contrary to LP Policy DM4.5 and DM5.2.

8.25 Members need to determine whether the principle of development is acceptable. It is officer advice that it is not, and the latter sections of this report will set out the reasons for this.

9.0 North Tyneside Council Housing Land Supply

9.1 Paragraph 78 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and annually update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old. This should include an additional 5% buffer to ensure choice and competition in the market for land; or 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

9.2 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.

9.3 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 not included in this assessment.

9.4 Members are advised that the Council does not have an identified deliverable five-year housing land supply, however, the NPPF is clear that proposed development that conflicts with an up to date development plan should be refused. The latter parts of this report will demonstrate that there are adverse impacts which would significantly and demonstrably outweigh the benefits of contributing to the delivery of achieving a five-year housing land supply.

10.0 Impact on amenity and the character and appearance of the area

10.1 Paragraph 131 of the NPPF encourages good design stating this is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 Paragraph 139 of the NPPF makes it clear that development, which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

10.3 Paragraph 198 of the NPPF seeks to ensure that new development is appropriate for its location and ensuring where necessary that any impacts from the development are adequately mitigated for.

10.4 Strategic Policy S1.2 'Spatial Strategy for Health and Wellbeing' sets out a number of points to maintain and improve the health and wellbeing of communities including preventing negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contaminations, vibration and air quality.

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

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

10.7 Policy DM6.1 'Design of Development' makes it clear that applications will only be permitted where they demonstrate high and consistent design standards.

Amongst other matters proposed developments are responsive to their location, including topography, wildlife habitats, site orientation and existing buildings; ensuring a positive relationship to neighbouring buildings and spaces; ensuring sufficient parking is well integrated into the layout; and a good standard of amenity for existing and future residents.

10.8 Policy DM4.9 'Housing Standards' seeks to ensure that new homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities. This policy sets out the standards new developments should apply subject to site viability.

10.9 The 'Design Quality' SPD applies to all planning applications that involve building works.

10.10 Policy DM5.9 'Trees, Woodlands and Hedgerows' seeks to safeguard existing features such as trees.

10.11 The objections received regarding the impacts on residential amenity, poor quality accommodation for future occupants, overdevelopment of the site and its design are noted.

10.12 The Manager for Environmental Health has been consulted. She has raised concerns about road traffic noise from Front Street and the retail units affecting the development. She has reviewed the noise report which has considered noise for the proposed residential apartments and has assessed the external noise arising from the road. This report advises internal noise levels will not be achieved with open window and therefore residents will be exposed to noise levels higher than the recommended levels. The noise report recommends a glazing and ventilation strategy for those habitable rooms fronting onto the road and for those with a partial line of sight to Front Street. As habitable rooms fronting onto the road may be affected a noise scheme will need to be provided to ensure appropriate sound mitigation can be provided to mitigate for road traffic noise. She has suggested a planning condition to secure the noise scheme.

10.13 The noise report does not consider any noise mitigation measures for noise arising from the ground floor retail units affecting the proposed first floor residential apartments. The proposed retail units could be occupied by a range of uses within Use Class E. The Manager for Environmental Health has advised this may affect the development as the potential end uses will have associated noise arising from their use which may cause potential nuisance to the proposed first floor residential apartments. Mitigation measures would be necessary to address potential noise including appropriate sound insulation and controls such as a vapour barrier to mitigate against potential fumes and odours. She has suggested planning conditions to secure these details as well as further conditions to control details of any plant and equipment. A planning condition to control the hours of operation is also proposed.

10.14 A site visit has confirmed that there are existing flues sited on the west elevation of the existing building. These existing flues have not been shown on any of the plans provided. As the hot food takeaway is to be retained, it is assumed that these flues are also to be retained which would be positioned close

to habitable rooms serving the proposed apartments. Whilst this is a concern, the Manager for Environmental Health has advised they terminate at roof ridge and therefore meet best practice, and their location should help dissipate flue discharge emissions. However, details on other odour control from the hot food premises are not provided and therefore it is unclear as what extent of odour emission are generated. The suggested conditions will help to mitigate fugitive odours, and the noise scheme will provide further details on noise arising from the hot food takeaway.

10.15 The NPPF, paragraph 56 states “Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Paragraph 57 states “Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.” The NPPF paragraph 198 aims to “mitigate and reduce to a minimum potential adverse impacts from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”. Members are advised that it is clear from the environmental health comments set out in the appendix to this report that appropriate mitigation to reduce the impacts arising from the identified noise sources and odours can be secured by conditions. Subject to attaching the suggested conditions it is not considered that this development will significantly impact on the residential amenity of nearby neighbouring properties in terms of noise and odours.

10.16 The existing building is located to the north of Allanville. It is not considered that the proposed conversion would significantly affect the residential amenity of these neighbouring properties in terms of loss of light, outlook or privacy.

10.17 The additional windows proposed to the west elevation of the existing building would not significantly affect the neighbouring properties Nos. 33 and 34 Front Street.

10.18 Nos. 101, 103, 105 and 107 Allanville are located to the south of the application site. These are the neighbouring properties that would be sited closest to the proposed new build. No. 107 has a two-storey extension to rear, and the rear garden has been extended along part of the east boundary of the application site. No. 101 has a single storey rear projection. Views from their ground floor windows towards the application site are partly obscured by the existing boundary fencing. The first-floor windows serving these neighbouring properties afford views over the application site.

10.19 The proposed new build would be sited in the southeast corner of the site. It would be located to the north of Nos. 101, 103, 105 and 107 Allanville. The elevation closest to these neighbouring properties would measure approximately 18.6m in length. The height of the roof would vary between approximately 8.5m and 7.3m. The pitched roof over the two-storey projection would pull away from this shared boundary. These neighbouring properties (rear elevations) are sited between 10.8m and 11.7m (approximately) from the shared boundary. The proposed building would be sited approximately 1.3m and 2.3m from the shared boundary. Due to the siting and orientation of the new build, it is not considered

that it would significantly affect the outlook from these neighbouring properties or the amount of light entering them during the morning / early afternoon. There may be some loss of light late afternoon, particularly to part of the rear garden serving No. 107 that extends along part of the eastern boundary of the application site. However, this impact is considered to be minimal and is not sufficient to sustain a recommendation of refusal.

10.20 There are windows proposed in the new build that would afford views towards the rear of Nos. 101, 103, 105 and 107. The ground floor windows would serve Flat 3 (bathroom, bedroom 2 and an en-suite); the first floor windows would serve Flat 6 (bathroom, bedroom 2 and an en-suite); and, the windows in the mansard roof would serve Flat 8 (open plan living and kitchen area). To protect the privacy and overlooking towards the properties of Allanville the habitable windows proposed at the first floor and second floor would have timber visibility screening over them. This design approach is not considered to be acceptable as it would not protect the privacy of these immediate neighbouring properties, and it would result in a poor standard of accommodation in terms of light and outlook for future occupants.

10.21 The living area windows serving Flat 3 and Flat 6 would afford obscure views towards the properties of Allanville. It is not considered that the positioning of these windows would significantly affect the privacy of neighbouring properties.

10.22 Patio doors and windows serving Flats 1 – 3, and windows serving Flats 4-8 would afford views towards the extended part of the rear garden serving No. 107 Allanville. Views from the patio doors would be obscured by the existing fencing. However, views from the upper windows would affect the privacy of this part of the neighbouring rear garden.

10.23 The use of “brises soliel style timber visibility screening” covering some windows on both the conversion and the new build negatively impacts the outlook, daylight and amenity of future residents.

10.24 There are concerns regarding the quality of living accommodation proposed. The conversion would accommodate three apartments in the roof space. The quality of this accommodation is not acceptable. All open plan living rooms and kitchens have one small outward facing window with timber visibility screening over them which will significantly reduce natural daylight. Some habitable rooms also have a poor outlook with only rooflights.

10.25 There are concerns regarding the apartments in the roof space in the conversion and the new build in terms of sufficient headroom and useable circulation space. No cross sections have been provided to demonstrate that there is sufficient headroom and useable circulation space. There is also no information provided from the apartments in the roof space to demonstrate that the proposed accommodation is in accordance with space standards which requires *“the minimum floor to ceiling height of the main living space is 2.3m for at least 75% of the Gross Internal Area.”*

10.26 The existing building is proposed to be converted into three retail units, retention of existing hot food takeaway and six apartments. The design

comments concerning an excessive amount of signage on the front of the building as result of the retail units being detrimental to the street scene are noted. Residential and retail waste should be stored separately. There is one waste storage area for the retail units and apartments and it would be sited on an area of land to the north of the proposed access. The location of the timber communal bin enclosure, by virtue of its prominent location, would result in a negative feature in the street scene, and there is a lack of landscape mitigation.

10.27 On the front elevation of the existing building, the proposed rooflights do not align with the first-floor windows resulting in poor design. On the side and rear elevation, five windows are covered by “brises soliel style timber visibility screening” which significantly detracts from the elevations.

10.28 To the rear of the building, the proposals include the demolition of some later additions, and the extension of the building to the rear. The extension significantly detracts from the roof form of the original building on the side elevation. The proposed roof on the rear elevation does not compliment the wider building design.

10.29 The new build apartment is proposed to the rear of the site. The building is two storeys with a mansard roof. The roof is excessively large for the size of the building and is wholly out of character with the surrounding area. Many of the windows have privacy screening louvered cladding over them which again significantly detracts from the elevations.

10.30 Entrances to apartments are very narrow with no room for utilities and mailboxes.

10.31 The Landscape Team have been consulted and have considered the loss of open space, the wildlife corridor and the adjacent cycle route. They consider that together the open space, wildlife corridor and cycle route are important, linked green infrastructure features within the borough and beyond. The accessible open space is visually and physically linked to Fryers Millenium Green which in turn is linked to other open spaces within the borough via the cycle route.

10.32 The proposed development encroaches into this open space as not all of the required parking provision and refuse storage can be accommodated to the rear resulting in an overdevelopment of this site. The open space will be replaced with infrastructure that is unsightly. It will also change the visual appearance of this part of the site to the detriment of the wider area.

10.33 The comments from Northumbria Police are noted. It is clear they have not raised any objections and have put forward design observations to improve security.

10.34 Members need to determine whether the proposed development is acceptable in terms of its impact on amenity and the character and appearance of the area. Members are advised, based on the advice from the Manager for Environmental Health, conditions can be attached to secure appropriate mitigation to deal with potential noise and odours. However, it is officer advice

that this proposal is an overdevelopment of the site, resulting in poor quality residential accommodation and poor-quality urban design. The chosen design fails to take the opportunities available for improving the character and quality of the area. The fact that not all parking, refuse storage and appropriate refuse collection cannot be accommodated to the rear of the site further supports the concerns of an overdevelopment of this site. New development should be high-quality design with local planning authorities putting an emphasis on approving good design and refusing poor quality schemes. The siting of the new build and the positioning of windows would affect the privacy of immediate neighbouring properties. It is officer advice that the proposed development is unacceptable in terms of its design, and its impacts on the amenity of existing and future residents. As such, the proposed development is contrary to the NPPF paragraph 131, LP Policy DM6.1 and the Design Quality SPD.

11.0 Impact on highway safety

11.1 The NPPF Section 9 promotes sustainable transport. Paragraph 115 (b) requires development to provide safe and suitable access for all users.

11.2 The NPPF paragraph 116 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, following mitigation, would be severe, taking into account all reasonable scenarios.

11.3 Paragraph 117 of the NPPF advises development should avoid conflicts between all users, allow for the efficient delivery of goods and access by service vehicles and enable charging of plug-in and other ultra-low emission vehicles in safe a, accessible and convenient locations.

11.4 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.

11.5 The Council's maximum parking standards are set out in the Transport and Highways SPD.

11.6 The objections received regarding highway safety and lack of parking provision are noted. Those supporting the application do not consider that this development would create any parking or highway safety issues.

11.7 The site would be accessed from Front Street, and refuse storage is proposed within the site. Parking is provided onsite for the residential use, and the retail units would utilise parking in the existing lay-by at the front of the site. Some of the existing lay-by parking would be lost to accommodate the provision of a formal crossing point over the B1515 (Front Street).

11.8 The Team Leader – New Developments (Highways) has been consulted. He has advised an appropriate amount of parking is provided for the residential use and the loss of a small amount of lay-by parking to the front of the site is

acceptable as it would have a minimal impact on parking provision in the vicinity of the site.

11.9 The Team Leader – New Developments (Highways) has advised there is no area for a refuse vehicle to turn within the site and the applicant is proposing kerb side collection. This arrangement is not considered to be acceptable, as the storage of several communal bins on the adopted highway would cause an obstruction to other highway users on the designated collection day.

11.10 The refuse vehicle would also need to stop on a busy bend, on double yellow lines, on a classified road (B1515 - Front Street), adjacent to a Public Right of Way crossing point and another access on the opposite side of the road. It would also not be appropriate for the vehicle to reverse on the site at this location.

11.11 The Team Leader – New Developments (Highways) has advised the proposal is an overdevelopment of the site, without appropriate collection arrangements, and for the reasons outlined in their comments, they have recommended refusal of this application on highway and road safety grounds.

11.12 The Sustainable Transport Team Leader has advised that the proposed vehicular access would directly impact with the existing crossing arrangement for pedestrians and cyclists using the surrounding waggonways. The current crossing would be removed entirely by this development which in turn would force users to cross in front of the proposed retail units. To ensure the safety of pedestrians and cyclists in the area, a financial contribution is being sought for the provision of a formal crossing. In addition, to the crossing, a raised table access arrangement to the proposed apartments is also sought. This would maintain a level crossing point for walking, cycling and wheeling.

11.13 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network, highway and pedestrian safety, whether appropriate parking provision has been provided, and whether appropriate refuse collection has been provided. Whilst appropriate parking provision has been provided the proposed layout does not allow for a refuse vehicle to enter the site and exit in a forward direction. The proposed refuse collection arrangements are not acceptable. It is officer advice that the proposed development is not acceptable on highway and road safety grounds. The proposed development does not accord with the NPPF (paragraphs 115 (b), 116 and 117) and LP Policies.

12.0 Other Issues

12.1 Contaminated Land

12.2 NPPF paragraph 196 seeks to ensure that planning decisions have regard to the suitability of a site for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

12.3 NPPF paragraph 197 states “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”.

12.4 Policy DM5.18 “Contaminated and Unstable Land” seeks to ensure that the future users or occupiers of a development would not be affected by contamination or stability issues.

12.5 The NPPF sets out that LPAs should define Mineral Safeguarding Areas (MSAs), with further detail included in National Planning Practice Guidance (2014). The whole of the local plan area has been identified as a MSA. Policy DM5.17 Minerals is considered to be relevant.

12.6 The Contaminated Land Officer has been consulted. She has raised no objection to the proposed development, subject to attaching the suggested conditions.

12.7 The Coal Authority has been consulted. They have raised no objection to the proposed development.

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

12.9 Flooding

12.10 The NPPF paragraph 181 makes it clear that “When determining planning applications, LPA’s should ensure that flood risk is not increased elsewhere.”

12.11 The Lead Local Flood Authority (LLFA) have been consulted. The submitted information, flood risk assessment / drainage proposals, is insufficient to be able to determine the suitability of the application. In particular the proposed method of surface water attenuation for development. Without this information the LLFA has objected to the proposed development.

12.12 Northumbrian Water has been consulted. They have advised there is not sufficient detail provided with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess their capacity to treat the additional flows. However, they have requested a pre-commencement condition requiring a detailed scheme for the disposal of surface water and foul.

12.13 Members need to determine whether the proposed development is acceptable in terms of flood risk and drainage. It is officer advice that insufficient information has been provided to demonstrate appropriate drainage can be delivered on site and the proposed development will not increase flood risk.

12.14 Biodiversity

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

12.16 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.

12.17 Policy DM5.6 'Management of International Sites' states that proposals that are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects will require an appropriate assessment. Proposals that adversely affect a sites integrity can only proceed where there are no alternatives, imperative reasons or overriding interest area proven and the effects are compensated.

12.18 The application site is located beyond the 6km buffer of the Northumbria Coast Special Protection Area (SPA). However, it would still have an impact on the coast as a result of an increase in recreational disturbance. This development would need to comply with the Coastal Mitigation SPD which provides guidance and information on the internationally protected coastline. The applicant has agreed to pay the financial contribution however, the legal agreement has not been progressed as officers do not consider the development to be acceptable.

12.19 The proposed development includes an area of land designated as open space and it is within a wildlife corridor. This land would be used for a communal bin store and visitor parking bays. This land also accommodates the new access road into the site.

12.20 A BNG Assessment, Metric and Protected Species Survey (E3 Ecology October 2024) have been submitted to support the application. This information has been reviewed by the Principal Ecologist.

12.21 The Protected Species Survey confirms that the building supports a single bat roost and a small number of individual common pipistrelle bats were recorded foraging within the garden to the rear of the property and Noctule bats were heard but not seen. The consultee has advised that this report confirms the impacts of this development include the risk of disturbing bats and destruction of a roost as well as loss of bat foraging and commuting habitat. The recommended mitigation measures include a Natural England licence being secured prior to works commencing on site, lighting that avoids light spill to the wildlife corridor and habitat utilised by bats and appropriate landscape planting to support protected species.

12.22 Members are advised that this application was submitted and validated prior to mandatory net gain. However, the development must still satisfy the NPPF and LP policies. LP policy requires a net gain to be delivered in accordance with the hierarchy set out in the NPPF.

12.23 The submitted BNG Assessment and Metric shows that there would be a net loss of habitat on site of -14%. Existing habitat that would be lost includes modified grassland, dense scrub and ruderal habitat. The proposed development would provide a small area of modified grassland and 18no. small urban trees in limited sections where space allows. The dense scrub habitat, valuable for nesting birds and commuting/foraging bats, is lost with no proposal to replace

any of this within the site. The applicant is proposing to achieve 10% net gain offsite in Durham, however, whilst this may provide the 10% net gain, it would not address the impacts to the wildlife corridor in this location, nor would it provide habitat mitigation for bats currently using this site or for breeding birds, which are also likely to be impacted by the area of scrub loss.

12.24 The consultee considers the proposed development would impact the existing wildlife corridor and it fails to protect and enhance this corridor in accordance with Policy DM5.7. No mitigation is being provided onsite to mitigate impacts on protected species (bats and birds).

12.25 The Northumberland Wildlife Trust has not raised any objections to the proposed development.

12.26 Members need to consider whether the proposed development is acceptable in terms of its impact on biodiversity. It is officer advice that it is not. As such, the proposed development does not accord with the advice in the NPPF and LP Policies DM5.7.

12.27 Archaeology

12.28 Paragraph 218 of the NPPF states “Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”

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

12.30 The Tyne and Wear Archaeology Officer has been consulted. No archaeological work is required.

13.0 S106 Contributions and mitigation requirements

13.1 Paragraph 56 of NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

13.2 Paragraph 58 of NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

13.3 Policy S7.1 ‘General Infrastructure and Funding Statement’ states that the Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of provision.

13.4 Policy DM7.2 'Development Viability' states that the Council is committed to enabling a viable and deliverable sustainable development. If the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.

13.5 Policy DM7.5 'Employment and Skills' states that the Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training.

13.6 Policy DM4.7 'Affordable Housing' states "To meet the Borough-wide target the Council will seek 25% of new homes to be affordable, on new housing developments of 11 or more dwellings and gross internal area of more than 1000m², taking into consideration n specific site circumstances and economic viability. Developments will be required to provide a mix of affordable housing for rent and intermediate housing, based on the most up-to-date evidence of local need. Where necessary, to assist the viability of proposals, a flexible approach to the tenure mix of affordable housing provision will be considered by the Council."

13.7 The following S106 contributions are begin sought:

- Affordable housing provision (25% 4 affordable units (3 affordable rent and 1 intermediate)
- Ecology and Biodiversity £2,730.00
- Parks and Greenspace £7,455.00
- Children's equipped play space £9,800.00
- Primary education £37,500.00
- Employment and training 0.5% of the capital cost
- Highways £40,000.00
- Coastal mitigation £2,114.00

13.8 Members are advised that the applicant has agreed to pay the requested financial contributions. However, the legal agreement has not been progressed and is included as reason for refusal in order to ensure this matter can be addressed were an appeal to be lodged.

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.

16.0 Equalities and Diversities

16.1 The objections raised have been considered as part of the assessment of this application. Consultee comments have been sought and considered as part of the assessment of this application.

16.2 This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

17.0 Conclusion

17.1 Members should carefully consider the balance of issues before them and the need to take in account national policy within NPPF and the weight to be accorded to this as well as current local planning policy.

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

17.3 The Local Planning Authority is unable to demonstrate a 5-year supply of housing. It follows that the presumption in favour of sustainable development (the tilted balance) is engaged. This means that planning permission should be granted, unless the impacts significantly and demonstrably outweigh the benefits.

17.4 This proposal would provide additional housing including affordable housing which would make a small, but welcome contribution towards helping the Local Planning Authority to be able to demonstrate a 5-year supply of housing. The provision of affordable housing in particular carries significant weight in favour of the proposal.

17.5 Notwithstanding the benefits of the proposal, it would not overcome the identified harm. Officers consider the proposal is poorly designed and, in such cases, NPPF advises that planning permission should be refused. It would adversely impact a designated wildlife corridor, result in a loss of on-site

biodiversity, which the applicant would seek to address through purchasing off-site credits. The proposal would adversely impact neighbours and result in an unacceptable living environment for future occupiers. It would have an unacceptable impact on highway safety. Insufficient information has been submitted to demonstrate that surface water would be adequately dealt with. No S106 legal agreement has been signed to secure the contributions necessary to mitigate the impacts of the development.

17.6 It is officer advice that the impacts significantly and demonstrably outweigh the benefits and as such it is recommended that planning permission should be refused.

RECOMMENDATION: Application Refused

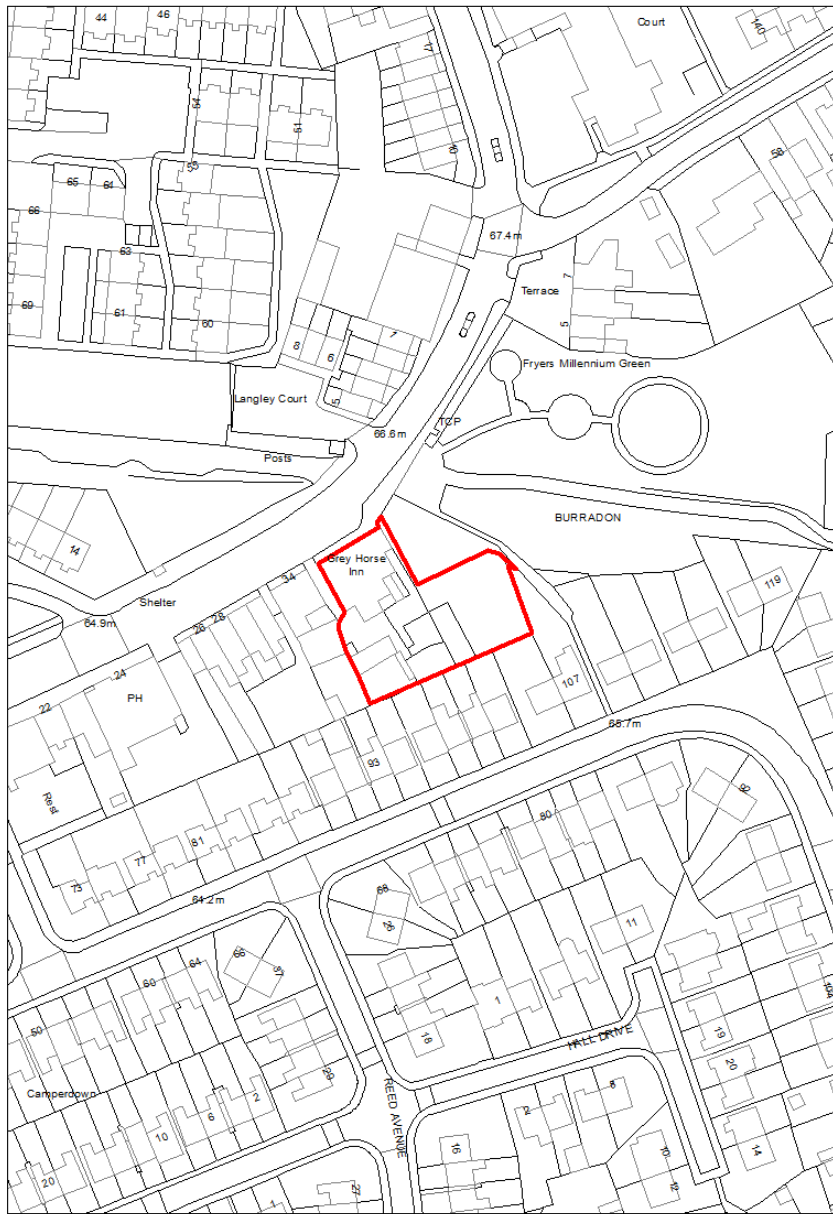
Conditions/Reasons

1. The proposed development would result in the loss of designated open space to accommodate an access road, bin store and parking. These features are unsightly and would be in a prominent location to the detriment of the character and appearance of this part of the street scene. The open space to be retained has limited benefit in terms of its function as useable open space and visual value. The open space within the site is of limited value in terms of its size and function. As such, the proposed development is contrary to the NPPF (2024) and Policies DM5.2 DM6.1 of the North Tyneside Local Plan (2017) and the Design Quality Supplementary Planning Document (2018).
2. The proposed development by virtue of the site layout, design of the proposed extensions to accommodate the conversion and the design of the new build, would overdevelop the site, resulting in poor quality residential accommodation for future impacts, impact the residential amenity of neighbouring properties, and poor quality urban design. As such, the proposed development is contrary to the NPPF (paragraph 131), Policy DM6.1 of the North Tyneside Local Plan (2017) and the Design Quality Supplementary Planning Document (SPD) (2018).
3. The proposed development does not allow for a refuse vehicle to turn within the site resulting in a kerbside collection. The proposed collection arrangement would result in a refuse vehicle needing to stop on a busy bend, on double yellow lines, on a classified road (B1515 - Front Street), adjacent to a Public Right of Way crossing point and another access on the opposite side of the road. It is not appropriate for a refuse vehicle to reverse on site at this location. The proposed kerbside collection would result in several communal bins being stored on the adopted highway on collection day that would cause an obstruction to other highway users. The proposed development is an overdevelopment of the site, without appropriate refuse collection arrangements. As such, the proposed development is contrary to the NPPF (2024) and Policies DM7.4 and DM6.1 of the North Tyneside Local Plan (2017), and the Design Quality (2018) and Transport Highways SPD (2022), as it would have an unacceptable impact on highway safety.

4. The proposed development would impact the existing wildlife corridor in this location with the introduction of hardstanding and built development that fails to protect and enhance this corridor. The loss of open space is not being appropriately addressed through the scheme. There would be a net loss on site demonstrating that insufficient habitat has been provided to address the impacts of this development, loss of open space and enhancement of the wildlife corridor. The proposed development is an overdevelopment of the site that cannot mitigate appropriately for the impacts on the wildlife corridor and biodiversity. As such, the proposed development is contrary to the advice in NPPF (2024) and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).
5. Insufficient information has been provided to demonstrate that appropriate surface water drainage can be delivered onsite. As such, the proposed development is contrary to the advice in NPPF (2024).
6. The legal agreement has not been signed to secure the Coastal Mitigation contribution and other financial contributions. Without a signed agreement the council cannot secure the contributions that it is seeking to mitigate against the impacts of this development contrary to Planning Obligations Supplementary Planning Document (2018), the Coastal Mitigation SPD (July 2019) and Policies S5.4, DM5.5, DM5.6, S7.1, DM7.2 and DM7.5 of the North Tyneside Local Plan 2017.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was not therefore possible to approve the application. The Local Planning Authority has therefore implemented the requirements of the National Planning Policy Framework.



Application reference: 22/00371/FUL

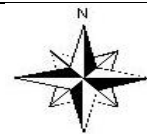
Location: The Grey Horse, Front Street, Camperdown, NEWCASTLE UPON TYNE

Proposal: Conversion of existing pub (sui generis) into 3no. retail units at ground floor and the retention of existing hot food takeaway (sui generis) and 6no. apartments and 8no. new building apartments to the rear (Amended description and amended plans December 2024).

Not to scale

Date: 30.01.2025

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 AC0000820329



Consultations/representations

1.0 Internal Consultees

1.1 Team Leader – New Developments (Highways)

1.2 The site will be accessed from Front Street, and refuse storage is proposed within the site. An appropriate amount of parking is being provided for the residential use, and the retail units will utilise parking in the existing lay-by at the front of the site. The Manager for Sustainable Transport has required the provision of a formal crossing over the B1515 (Front Street), in the interests of pedestrian and cyclist safety using the nearby Public Right of Way, via a S106 Agreement. This crossing would result in the loss of a small amount of the lay-by parking at the front of the existing pub, however, and on balance it is considered that this is acceptable and will have minimal impact on parking provision in the vicinity of the site.

1.3 However, and notwithstanding the above, there is no area for a refuse vehicle to turn within the site and the applicant is proposing a kerb side collection. This arrangement is not considered to be acceptable, as the storage of several communal bins on the adopted highway would cause an obstruction to other highway users on the designated collection day.

1.4 The refuse vehicle would also need to stop on a busy bend, on double yellow lines, on a classified road (B1515 - Front Street), adjacent to a Public Right of Way crossing point and another access on the opposite side of the road. It would also not be appropriate for the vehicle to reverse on the site at this location.

1.5 The proposal is an overdevelopment of the site, without appropriate refuse collection arrangements, and for the reasons outlined above, the application is recommended for refusal on highway and road safety grounds.

1.6 Sustainable Transport Team Leader

1.7 Recommendation - Conditional Approval

1.8 Crossing Provision

1.9 It is noted that the location of the proposed vehicular access for the 8 apartments to the rear of the pub directly impacts with the existing crossing arrangement for pedestrians and cyclists using the Authority's Waggonways network. The current crossing will be removed entirely by this proposal which in turn will force users to cross in front of the proposed retail units.

1.10 To ensure the safety of pedestrians and cyclists in the area, the Authority would require a S106 payment to the value of £40,000 to cover the costs associated with the provision of a formal crossing. The crossing would likely be situated in front of the retail units, subject to consultation. In addition to the crossing, the Authority would require the applicant to provide a raised table access arrangement to the proposed apartments. This would maintain a level crossing point for walking, cycling and wheeling.

1.11 I suggest the TP Condition text below:

Notwithstanding the details submitted in the application, no part of the development shall commence until the site access layout has been agreed in writing with the Local Authority. This scheme shall be implemented in accordance with the approved details and shall be 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).

1.12 Manager for Environmental Health (Pollution)

1.13 This site is located adjacent to Front Street, and I would be concerned about road traffic noise affecting development, especially habitable rooms fronting onto the road and a noise scheme will need to be provided to ensure appropriate sound mitigation measures are implemented to mitigate against the road traffic noise. I would also have concerns over noise arising from the retail units affecting the proposed residential apartments arising from use of plant and equipment, customer noise and delivery noise.

1.14 Permitted change of use for the retail units will include for include for shops, retail warehouses, hairdressers, post offices, dry cleaners, pet shops, travel and ticket agencies, sandwich bars and premises that may include for cooking of foods. These different uses will have associated noise arising from their use which may cause potential nuisance to the proposed first floor residential flats. Mitigation measures will be necessary to address potential noise including appropriate sound insulation between the ground floor and first floors and controls such as vapour barrier to mitigate against fume and odours if retail consists of hairdressers or nail bar etc. It will also be necessary to restrict operating hours and plant, and equipment permitted to be installed within the retail units. I have reviewed the noise report. The report although updated November 2024 to reflect the site description and layout plan the contents remain unchanged to that of the noise report dated September 2020. The noise assessment has only considered noise for the residential apartments and has assessed the external noise arising from the road. The noise report has modelled the external noise levels and assessed the noise levels at the façade to the northern facade of the development site as in the region of 69 dB LAeq for daytime and 61 dB LAeq at night. The recommended internal noise levels will not be achieved with open window and therefore residents will be exposed to noise levels higher than the recommended levels. The noise report recommends a glazing and ventilation strategy for those habitable rooms fronting onto the road and for those with a partial line of sight to Front Street. The noise report recommends that MVHR is provided for the ventilation scheme for those habitable rooms on the northern façade of the development. However, there is no consideration within the noise mitigation measures for noise arising from the ground floor retail units affecting the first floor residential apartments. I would therefore recommend if planning consent is to be given that planning conditions are attached to require a noise scheme to address noise from the ground floor retail units for the first floor apartments to ensure a suitable level of sound attenuation is provided. Conditions will also be required for the noise and ventilation scheme.

1.15 The site layout plan shows that no gardens or outdoor space will be provided as part of this development.

1.16 I would therefore recommend the following if planning permission is to be given:

Retail Units Conditions

Noise condition: Retail Units

A noise scheme must be submitted in accordance with BS4142 to determine the background noise level without the plant noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment installed at the retail units do not exceed the background noise level. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order

NO104 this to include details of the noise levels expected to be created by the combined use of external plant and equipment to ensure compliance with the noise rating level.

HOU03 To those on application.

Deliveries and collections shall be restricted to between 07:00 and 21:00 hours.

No auxiliary cooking, heating or re-heating of food is to be permitted at the retail units unless full details on kitchen extraction equipment and odour controls have been submitted and agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity,

Non-standard condition: Entertainment Restrictions

No live music in the form of bands, solo and duo artists and no amplified music in the form of discos, DJ's and karaoke to be permitted to be played at the retail units. Only background music at a low volume shall be permitted to be played at the retail units.

Reason: In the interests of residential amenity,

NOI10

NOI02

EPL01

EPL02

EPL03

LIG01 - New external lighting

Residential Apartments

Non-standard condition: Vapour Barrier

Prior to occupation submit details of a vapour barrier for the premises, to protect the first floor residential flats from fugitive odours arising from the ground floor retail units, have been submitted to and approved in writing by the local planning

authority. The approved vapour barrier shall be installed prior to the use commencing and shall thereafter be permanently retained.

Noise Scheme: First Floor Residential Flats

A detailed scheme must be provided in accordance with the World Health Organisation Guidelines for the Community Noise that considers noise arising from the ground floor retail units and road traffic noise. The noise scheme must include for a suitable scheme of sound insulation between the ground floor retail units and the first floor residential accommodation to show that all habitable rooms are provided with good standards of sound insulation and glazing to give a resultant noise level of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A). Habitable rooms are living rooms and bedrooms only.

Noise Scheme 2nd Floor of Grey Horse and 8 New Build

Prior to development submit and implement on approval of the local Planning Authority a noise scheme in accordance to noise report reference NJD20-0136-001R, providing details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233:2014.

All Residential Apartments

Prior to occupation, submit details of the ventilation scheme for approval in writing and thereafter implemented to ensure an appropriate standard of comfort to prevent overheating and ensure internal noise levels with windows closed comply with BS8233 and the WHO community noise standards at night namely a minimum of night time equivalent noise level of 30 dB (23:00 hours to 07:00 hours) and Maximum noise level of 45dB and daytime equivalent noise level of 35dB (07:00 hours to 23:00 hours) in bedrooms and daytime equivalent noise level (23:00 hours to 07:00 hours) of 35 dB in living rooms. Where the internal noise levels are not achievable, with window open, due to the external noise environment, an alternative ventilation system must be installed that addresses thermal comfort to reduce the need to open windows, unless an overheating assessment is provided to verify that there are no overheating risks. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Where an overheating assessment is provided this must be carried out by a qualified ventilation engineer in accordance with the current CIBSE guidance. Where the property is subject to a risk of overheating an alternative ventilation or cooling system must be provided that is designed to achieve the levels in the current CIBSE guidance.

HOU04

SIT03

1.17 Manager for Environmental Health (Contaminated Land)

1.18 Due to the proposed sensitive end use the following must be attached:

Con 003

Con 004

Con 005

Con 006

Con 007

1.19 Design

1.20 The building is proposed to be converted into three retail units, retention of existing hot food takeaway and six apartments. The four small retail units will result in an excessive amount of signage on the front of the building that would be detrimental to the street scene. There is one waste storage area for the retail units and apartments. Residential and retail waste should be stored separately. The location of the timber communal bin enclosure is likely to be a negative feature in the street scene, and there is a lack of landscape mitigation.

1.21 On the front elevation, new rooflights are proposed which do not align with the first-floor windows.

1.22 To the rear of the building, the proposals include the demolition of some later additions and the extension of the building to the rear. The extension significantly detracts from the roof form of the original building on the side elevation. The proposed roof on the rear elevation does not compliment the wider building design.

1.23 On the side and rear elevation, five windows are covered by "*brises soleil style timber visibility screening*" which significantly detracts from the elevations and negatively impacts the outlook, daylight and amenity of future residents.

1.24 There are three apartments in the roof space and the quality of their accommodation is unacceptable. All open plan living rooms and kitchens only have one small outward facing vertical window with timber visibility screening over them which will significantly reduce natural daylight. Some habitable rooms also have a poor outlook with only rooflights.

1.25 A new build apartment block is proposed to the rear of the site. The building is two storeys with a mansard roof. The roof is excessively large for the size of the building and is wholly out of character with the surrounding area. Many of the windows have privacy screening louvered cladding over them which again significantly detracts from the elevations and would detract from the outlook, daylight and amenity of future residents.

1.26 For the apartments in the roof space in the conversion and the new build, no cross sections have been submitted to demonstrate that there is sufficient headroom and useable circulation space. There is also no information provided for the apartments in the roof space to demonstrate that the proposed accommodation is in accordance with space standards which requires "*the minimum floor to ceiling height of the main living space is 2.3m for at least 75% of the Gross Internal Area.*"

1.27 Entrances to apartments are very narrow with no room for utilities and mailboxes.

1.28 Overall, the proposals would overdevelop the site, resulting in poor quality residential accommodation and poor-quality urban design. The design fails to take the opportunities available for improving the character and quality of the area. New development should be high-quality design with local planning authorities putting an emphasis on approving good design and refusing poor quality schemes. The design is unacceptable, and the application is recommended to be refused.

1.29 Lead Local Flood Authority (LLFA)

1.30 I have carried out a review of the revised flood risk and surface water drainage proposals detailed in planning application 22/00371/FUL. Unfortunately the information supplied with the applications flood risk assessment / drainage proposals is insufficient to be able determine the suitability of the application. In particular the proposed method of surface water attenuation for the development. As such I have no option but to object to the current application.

1.31 Landscape Team

1.32 The landscape team have reviewed information submitted to accompany planning application 22/00371/FUL and make the following comments:

1.33 Part of the proposed development is located on land designated as open space, wildlife corridor and a cycle route. The cycle route is Route 10 of the National Cycle Network. It is considered that together the open space, wildlife corridor and cycle route are important, linked green infrastructure features within the borough and beyond. The accessible open space is visually and physically linked to Fryers Millenium Green, which in turn is linked to other open spaces within the borough via the cycle route.

1.34 The proposed development will result in the removal of this important open space. The open space will be replaced with a road junction and bin store which are considered to be unsightly. It will also result in detrimental changes to the national cycle route and will result in changes to the existing footpath which runs along the northern edge of the application boundary. These changes are considered to be unacceptable.

1.35 Principal Ecologist

1.36 We have reviewed the information submitted for the current application 22/00371/FUL. The scheme has changed from the previously approved application (20/01572/FUL) and now includes an additional area of land designated as open space and within a wildlife corridor being used for a communal bin store and visitor parking bays. In addition, the new access road into the site also appears to be located in part of the open space/wildlife corridor as a result of the revised layout.

1.37 A BNG Assessment, Metric and Protected Species Survey (E3 Ecology October 2024) have been submitted to support the application. The Protected Species Survey confirms that the building supports a single roost (Common Pipistrelle) and a small number of individual common pipistrelle bats were recorded foraging within the garden to the rear of the property and Noctule bats were heard but not seen. The report confirms that the impacts of the scheme

include the risk of disturbing bats and destruction of a roost as well as loss of bat foraging and commuting habitat.

1.38 Recommended mitigation measures include a Natural England licence being secured prior to works commencing on site, lighting that avoids light spill to the wildlife corridor and habitat utilised by bats and appropriate landscape planting to support protected species.

1.39 The BNG Assessment and associated Metric clearly show that there will be a net loss of habitat on site of -14%. Existing habitat that will be lost includes modified grassland, dense scrub and ruderal habitat. The post-development plan shows a small area of modified grassland and 18no. small urban trees in limited sections of the site where space allows. The dense scrub habitat, valuable for nesting birds and commuting/foraging bats, is lost with no proposal to replace any of this within the site. An area of native scrub creation is proposed on a site in Durham, however, whilst this may provide the 10% net gain required for BNG, it will not address the impacts to the wildlife corridor in this location, nor will it provide habitat mitigation for bats currently using this site or for breeding birds, which are also likely to be impacted by the area of scrub loss.

1.40 The current scheme would impact the existing wildlife corridor in this location with hardstanding and built development and fails to protect and enhance this corridor in accordance with Policy DM5.7. It would also result in the loss of a small area of open space which is not being addressed through the scheme. The fact that the scheme results overall in a -14% net loss of habitat post development, demonstrates that insufficient habitat has been provided to address impacts, loss of open space and enhancement of the wildlife corridor. The scheme appears to be over-developed, and a revised layout is recommended that ensures the current area of land designated as open space and within the wildlife corridor is retained and appropriately enhanced. In addition, space should be available within the scheme to ensure adequate native scrub planting can be provided within the site for protected species impacts (bats and birds).

1.41 The current scheme is not supported for the reasons set out above and we currently object to this application on that basis.

2.0 Representations

2.1 Support

2.2 Six representations supporting the application have been received. These are summarised below:

I will be able to move closer to family and this will increase the value of the properties in the area. It will provide job opportunities and bring new businesses to the area to support the local community. About time someone did something decent in the area.

Provide more living accommodation and there will be businesses paying taxes which will help the economy. People who use the pub near the site support the development.

The parking was never an issue when it was a fish and chip shop and pub that was very busy so the comments objecting on parking are not valid. There is more than enough parking around the back and this proposal is not significantly different to the approved development. It will improve the site.

We have a shortage of housing and retail units.

This site has been a problem, and this would provide the opportunity for people to open businesses that benefit the local community. The scheme has been supported by the local paper.

The development will be great for the local community and as I understand it already has a license to operate as a takeaway, retail units will help provide jobs and income for the community and the residential properties will help with decent housing in the area.

2.3 Objections

2.4 Five objections, four from residents and one from the Burradon and Camperdown Community Association (BACCA), have been received. These are summarised below:

- Adverse effect on wildlife
- Loss of privacy
- Nuisance – disturbance, dust / dirt, fumes, noise
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Precedent will be set
- Traffic congestion
- Inadequate parking provision
- Inappropriate design
- Inadequate drainage
- Loss of/damage to trees
- Overdeveloped
- Concerns regarding land encroachment and legality of the rightful ownership of the land within this application. Historically and still continuing the boundaries have been illegally extended between the pub and the gardens of Allanville, which over the years were reduced in size by the tenants to make them more manageable resulting in encroachment.
- Development forms a conglomeration of dense building both inside and outside with car space to match. The whole project is ill suited and in close proximity to housing and to a main walk way to properties of Allanville and Moor View estates.
- No demand within the village for further retail units.
- Create traffic congestion and movement of traffic on bed of the busy main village road, public pathways and NTC bridle paths / cycle ways.
- The proposed main vehicle access on village green space is not within the applicants ownership. This triangle of village green which is adjacent to the busy main walkway is maintained and tended by NTC.
- The issue of waste disposal must also be of concern, inadequate and not practical for this application located in a corner site that may/could also attract vermin.
- The Grey Horse is one of the oldest, prominent and respected buildings within

the village and with care could be altered effectively with the adjoining land, reclaimed as the village green space.

- Inexplicably the application has progressed with building operations without planning permission.

- Another car accident on the bend (12.08.2022) when a car knocked down a lamppost in the centre of the road and smashed all the fence at the residential care home.

- Insufficient parking. When it was a fish and chip shop cars just used to park in the road outside as there was no parking farm them. Where will delivery drivers park?

- The community recently raised concerns for the safety of the road from Front Street, Camperdown to Burradon Road/Cheviot Grange, Burradon. There have been several serious crashes in the past 12 months and in particular on the road in front of the Millennium Green, Burradon which involved a car mounting the pavement and demolishing the bollards on a Saturday afternoon and it was a miracle that a resident wasn't seriously or fatally injured. The community and the ward councillors are working together to convince NTC to conduct a survey to devise a strategy to improve the safety of this stretch of road and protect the welfare of the children.

- The scheme is an overdevelopment of the site with the proposed creation of 4no. retail units and six apartments in the Grey Horse Building.

- The living area within the individual apartments is considered to be inadequate and will not provide sufficient space to afford the tenants a decent quality of life. The apartments will be human silos rather than homes.

- There is insufficient parking on Front Street, Camperdown for both residents and customers of the existing residential properties and businesses. It is proposed the creation of 4 retail units will increase the level of congestion and will exacerbate the present parking and highways issues affecting the immediate area.

- It is inevitable that the volume of traffic will increase with customers visiting the retail units and the safety and welfare of residents in the village will be compromised, with cars parking outside the retail units, pavements opposite and the Festival Cottages. Parked cars will obscure residents' vision and local children and pensioners will be particularly vulnerable, and their safety and wellbeing will be compromised.

- The safety of the arterial road through the village from Station Road, Camperdown to Cheviot Grange, Burradon, has been the subject of significant concerns raised by residents following a number of serious high-profile crashes. The number of cars parked at the Grey Horse, will increase the possibility of further accidents and people may suffer either serious or fatal injuries.

- It is anticipated that customers visiting the Grey Horse retail units may decide to park in the spaces reserved for residents living in the Grey Horse or the Langley Court development opposite which may create conflict between the parties and may result in the increased incidents of anti-social behaviour.

- The community has always supported the development of housing in the village included the schemes at Silverbirch, Langley Court, Burradon Road and the former school site. The developments all provided good quality housing for the local community. The village needs good quality housing for families and the proposed scheme does not address or satisfy the shortfall of decent family homes for local people.

-The development of Langley Court on the former social club land opposite was a good example of the successful use of an infill site to provide family homes for the local people. The Grey Horse should be demolished and the entire site utilised to build houses rather than apartments. The village has an abundance of low-quality flats and apartments at Kirkwood, Burradon Road, Front Street and Station Road, there is no discernible support for any other apartments.

-Right across the road from the site is a biodiversity area and they want to put 4 shops and a load of houses there along with all the traffic it will bring.

-For a building application still awaiting decision could I ask why the extraction fans were reconnected which tells me it is going to become another fast-food outlet and it also tells me that they know the application is going to be passed which I find strange when one was already denied because of the parking issues.

2.5 Burradon and Camperdown Community Association (BACCA)

Initial comments:

The members of BACCA voted unanimously to object to the planning application for the proposed development of the Grey Horse for the following reasons:

-The scheme is an overdevelopment of the site with four retail units and six apartments. The original scheme which BACCA supported, provided for the building to be converted into seven apartments.

-The area within the apartments will be inadequate to provide the tenants with sufficient living space.

-There is insufficient parking for the residents and customers of the existing flats, retail and licensed premises on Front Street, Camperdown at present. It is anticipated that the creation of four further retail units will increase congestion and exacerbate parking and highways issues in the area.

-It is inevitable that the volume of traffic visiting the retail units (especially the takeaway) will compromise the safety and welfare of residents in the village, with cars parking outside the new retail units, the pavements opposite and also in Festival Cottages. Parked vehicles will obscure the vision of residents crossing the road and particularly pensioners and children which will increase the possibility of a serious or fatal accident.

-The community recently raised concerns regarding the safety of the arterial road in the village from Station Road, Camperdown to Cheviot Grange, Burradon, where the Grey Horse is situated. There have been several crashes in the past 12 months including an incident on Front Street, Burradon adjacent to the Millennium Green near the Grey Horse, involving a vehicle mounting the pavement and demolishing the bollards on a Saturday afternoon. It was the view of the entire community that it was a miracle that a resident wasn't seriously or fatally injured.

-The community and the ward councillors are working together to convince NTC to conduct a traffic survey and to devise a strategy to improve the safety of the arterial road to protect the welfare of the residents in the village.

-It is anticipated that customers visiting the retail units may park in the spaces reserved for the residents living on the Grey Horse development and opposite on Langley Court which may create conflict between the parties.

BACCA would support a revised scheme similar to the original planning application for the conversion of the building to support seven apartments which the previous owner developer submitted to NTC. The community is willing to work with the purchaser of the Grey Horse to discuss amendments to the

scheme which adequately addresses the communities concerns and produces a development which is economically viable for the developer.

Further comments:

- The scheme is an overdevelopment of the site with the proposed creation of 4no. retail units and six apartments in the Grey Horse Building.
 - The living area within the individual apartments is considered to be inadequate and will not provide sufficient space to afford the tenants a decent quality of life. The apartments will be human silos rather than homes.
 - There is insufficient parking on Front Street, Camperdown for both residents and customers of the existing residential properties and businesses. It is proposed the creation of 4 retail units will increase the level of congestion and will exacerbate the present parking and highways issues affecting the immediate area.
 - It is inevitable that the volume of traffic will increase with customers visiting the retail units and the safety and welfare of residents in the village will be compromised, with cars parking outside the retail units, pavements opposite and the Festival Cottages. Parked cars will obscure residents' vision and local children and pensioners will be particularly vulnerable, and their safety and wellbeing will be compromised.
 - The safety of the arterial road through the village from Station Road, Camperdown to Cheviot Grange, Burradon, has been the subject of significant concerns raised by residents following a number of serious high-profile crashes. The number of cars parked at the Grey Horse, will increase the possibility of further accidents and people may suffer either serious or fatal injuries.
 - It is anticipated that customers visiting the Grey Horse retail units may decide to park in the spaces reserved for residents living in the Grey Horse or the Langley Court development opposite which may create conflict between the parties and may result in the increased incidents of anti-social behaviour.
- BACCA has always supported the development of housing in the village included the schemes at Silverbirch, Langley Court, Burradon Road and the former school site. The developments all provided good quality housing for the local community. The village needs good quality housing for families and the proposed scheme does not address or satisfy the shortfall of decent family homes for local people.

The development of Langley Court on the former social club land opposite was a good example of the successful use of an infill site to provide family homes for the local people. The Grey Horse should be demolished and the entire site utilised to build houses rather than apartments. The village has an abundance of low-quality flats and apartments at Kirkwood, Burradon Road, Front Street and Station Road, there is no discernible support for any other apartments.

3.0 External Consultees

3.1 The Coal Authority

3.2 We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.

3.3 However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

3.4 Tyne and Wear Archaeology Officer

3.5 I have no comments on the proposed amendments.

3.6 The Grey Horse is shown on the Ordnance Survey First Edition map and dates to the 19th century. Various additions were made to the building, and it appears to have been refronted or rebuilt in the early 20th century. The interiors do not survive. Whilst it is not currently entered on the Historic Environment Record it may be considered a non-designated heritage asset (NPPF para 203) of local importance and makes a positive contribution to the streetscape.

3.7 I support the proposed conversion of the building and as the building is to be retained, historic building recording is not required. If proposals are made to demolish the building, this should be reconsidered.

3.8 The Grey Horse is located in an area with known prehistoric activity to the northwest, in the form of an Iron Age enclosure known from aerial photographs (HER309), which has now been built over. The applicant has provided a Ground Investigation Report for the site which indicates that the site has been previously disturbed. I therefore consider the archaeological potential of the site to be low, and no archaeological work is required.

3.9 Northumbria Police

3.10 Thank you for sending through the above planning application, we have no objections, however we have the following comments:

3.11 Boundary Treatments

3.12 The Design and Access statement (DAS), mentions there will be no new boundary treatments, apart from around the refuse enclosure. Can it be clarified what boundary treatments will be in place to restrict access to the rear of the new build apartment blocks and private rear gardens for the ground floor units.

3.13 Cycle Storage

3.14 The proposed site plan (Drawing No. 23010.P12), shows a communal secured bicycle enclosure for 20 bicycles, however there is no information included within the documents around the type of enclosure or security, such as how the proposed cycle store will be secured, for example, fob, key or card.

3.15 To deter and prevent cycle storage we would recommend the cycle storage is conditioned to comply with Secured by Design Standard or Sold Secure Bronze Accreditation.

3.16 Security

3.17 Section 8.0 of the DAS is titled "Sustainability and Security", I am slightly confused by this paragraph, as I can find no information around security.

3.18 General Security Measures:

3.19 Doorsets

3.20 Communal entrance doorsets should be controlled by visitor door entry system, that can enable residents to gain access without the use of a key and grant entry to visitors by means of an electronic door release system. Whilst also

tested against the requirements of BS 6375 communal entrance doorsets should meet one of the following standards:

PAS 24:2016 or PAS 24:2022, or

LPS 1175 Issue 8:2018 Security Rating B3+, or

STS 202 Issue 10:2021 Burglary Rating 2, or

LPS 2081 Issue 1.1:2016 Security Rating B,

3.21 Mixed-Use Developments

3.22 As per our previous comments from 2022, this application does raise a question which is fundamental in mixed-use developments, specifically how retail (including the existing retail hot food takeaway unit), integrates with residential amenity and what impact this will have on those units above the retail units.

3.23 In addition to the above, we have noted the provision of car parking both for residents and visitors, however those using the retail units could potentially use the rear car park which could lead to conflict from those residents living in the flats. To prevent and deter this we would recommend some form of rule setting/signage on the access road to the rear of the development stating private parking.

3.24 Northumbrian Water

3.24 In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

3.26 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

3.27 Our records indicate that a pre-planning enquiry application was submitted for this site several years ago, however its validity has now expired. Although the current application acknowledges the need for a new pre-planning enquiry to be undertaken at this time there is not sufficient detail in the planning submission with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the additional flows. We therefore request the following condition:

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

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

3.29 How to Satisfy the Condition

3.30 The applicant should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

3.31 If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or email DevelopmentEnquiries@nwl.co.uk. The applicant should then submit a drainage strategy reflecting our recommendations for consideration as part of the planning application.

3.32 Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

3.33 Northumberland Wildlife Trust

3.34 We do not object to the application.

3.35 We would however as that the recommendations in the PEA – Protected Species are followed regarding a Natural England Bat Mitigation Licence and bat provision within the existing building. We would also request bat provision within the existing building. We would also request bat provision or provision for such as swift are included in the new apartments behind the Grey Horse. An external lighting scheme that is bat friendly should also be conditioned.

3.36 As the trees and shrubs, that existed on site in older aerial imagery, have already been removed, we would request replacement locally native shrubs and trees are used in the planting scheme. These could include rowan, holly and silver birch and should be agreed with the planning authority work commences. All hard standing should be permeable, with a SuDS provision and renewable energy should be included in the development, such as solar panels or air source heat pumps.

