

Application No: 20/02033/FUL Author: Maxine Ingram
Date valid: 4 December 2020 ☎: 0191 643 6322
Target decision date: 5 March 2021 Ward: Benton

Application type: full planning application

Location: Land South of Whitley Road, Benton, NEWCASTLE UPON TYNE

Proposal: Erection of residential development comprising 74 dwellings (Class C3) with associated access, parking, landscaping and infrastructure (revised plans 30.04.2021)

Applicant: Homes And Communities Agency And Bellway Homes Ltd,

Agent: Lichfields, Mr Harvey Emms St Nicholas Building St Nicholas Street
Newcastle Upon Tyne NE1 1RF St Nicholas Street

RECOMMENDATION: To indicate that the Committee is minded to grant the application subject to completion of legal agreement under Section 106 of the Town and Country Planning Act 1990.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

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

- Principle of the development,
- Impact on the character and appearance of the site and the surrounding area,
- Impact upon the amenity of existing and future residents,
- Impact on highway safety,
- Impact on ecology; and,
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application site, comprising of approximately 2.7 hectares (ha), is a parcel of land located to the south of Whitley Road (A191). Immediately to the west of the site are No. 11 Whitley Road, the residential properties of Marquis Close and the Animal Health and Veterinary Laboratories Agency. The southern boundary of the site runs parallel to the existing tree line which forms a buffer to the government buildings and car park. To the east of the site is an existing road

which serves Tyne View Park, beyond which lies Blue Flames. To the north of the site, beyond the A191, are existing houses and apartments.

2.2 The Benton Conservation Area is located to the north of the site. The application site does not sit within the conservation area and is separated from it by the A191.

2.3 Within the immediate vicinity there are a variety of property types, ranging in height from two to three storeys. There are some examples of four storey buildings within the conservation area.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the construction of 74 residential dwellings with associated access, parking, landscaping and infrastructure.

3.2 Members are advised that prior to the submission of this planning application the applicant carried out a public consultation exercise through an online web-based platform in response to the need to reflect Government advice with respect to avoiding risk from the coronavirus pandemic. The consultation informed the local community of the development proposals and enabled feedback to be submitted. The applicant directly informed local Ward Councillors and a member of North Tyneside Council Cabinet of the public consultation platform via email.

3.3 To publicise the online consultation event, the applicant arranged for 960 leaflets to be distributed amongst businesses and households within the local catchment area. The leaflet provided details of the proposed development and included a hard copy of the questionnaire for recipients to complete and return via free-post.

3.4 Members are advised that several objections refer to the findings of the online consultation event. The applicant has acknowledged that a high percentage of respondents were not supportive of the proposal within their Statement of Community Involvement (SCI). The applicant identified the key concerns (scale of housing development, highway safety concerns, impact on local service) and provided their response in the SCI.

4.0 Relevant Planning History

4.1 Application site

18/01221/OUT - Outline application for residential development with associated infrastructure and landscaping, all matters reserved except points of access (Amended site plan, landscaping strategy and updated reports 09.01.2019) – Pending consideration

11/00761/OUT - Outline application for erection of 51 dwellings and creation of an additional 18 drop off spaces on Tyneview Road (further information 17.06.2011) – Permitted 06.06.2012

08/01928/FUL - Engineering works to access road including provision of pedestrian footway in highway verge – Permitted 01.09.2008

08/01406/REM - To develop 45, three and five bedroom homes together with associated landscaping/amenity space, highways and curtilage treatment (Amended Scheme) – Withdrawn 14.10.2013

04/00086/OUT - Residential development – Refused 13.04.2004

01/01253/OUT - Demolition of former research buildings and redevelopment for residential purposes – Refused 30.11.2001

4.2 Adjacent highway works

15/01363/FUL - Realignment (change in use from agricultural land) of Tyneview Park access and removal/ grassland reinstatement of existing access junction road. – Permitted 14.10.2015

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (July 2021)

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

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

PLANNING OFFICERS REPORT

7.0 Main Issues

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

- Principle of the development,
- Impact on the character and appearance of the site and the surrounding area,
- Impact upon the amenity of existing and future residents,
- Impact on highway safety,
- Impact on ecology; and,
- Other issues.

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

8.0 Principle of 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. This is known as the 'tilted balance.'

8.4 Paragraph 60 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.

8.5 Paragraph 74 of the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing needs where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 5% to ensure choice and competition in the market for land. Where there has been a significant under delivery of housing over the previous three years, the buffer should be increased by 20%.

8.6 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.

8.7 Strategic Policy S1.4 'General Development Principles' states "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.

8.8 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.

8.9 LP Policy S4.3 Distribution of Housing Development Sites states: "The sites allocated for housing development are identified on the Policies Map of the North

Tyneside Local Plan 2017, including those identified for both housing and mixed-use schemes.

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

Members are advised that the site, subject of this application, is not identified for any purpose in the LP. Therefore, policy DM4.5 is considered to be relevant when assessing this application.

8.11 LP Policy DM4.5 Criteria for New Housing Development states: "Proposals for residential development on sites not identified on the Policies Map will be considered positively where they can:

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

8.12 Outline planning permission was granted on part of the application site in June 2012 for the erection of 51no. dwellings and the creation of an additional 18no. drop off spaces on Tyneview Road (Ref: 11/00761/OUT). Members are advised that this application was not implemented and now lapsed due to legacy issues in the transfer of land which have now been resolved. However, the current application must be assessed on its own planning merits.

8.13 This planning applications seeks to deliver 74no. dwellings with associated landscaping and infrastructure. The site is located within an existing built-up area; it is located in close proximity to local services (shops, local amenities, public transport and schools). Included within the proposed housing mix is the provision of affordable housing units.

8.14 The development would contribute to meeting the housing needs of the borough and is therefore considered to accord with the aims of the NPPF to increase the delivery of new homes. Members need to determine whether the principle of residential development in this site is acceptable. Having regard to the above, it is officer advice that, the principle of the proposed development is considered acceptable subject to consideration of the following matters.

9.0 North Tyneside Council Housing Land Supply

9.1 The most up to date assessment of housing land supply informed by the five-year housing land summary included within the Housing Land Availability

Assessment, September 2021. It identifies the total potential 5-year housing land supply in the borough at 4,012 additional dwellings, a total which includes delivery from sites yet to gain planning permission. This represents a shortfall against the Local Plan requirement or approximately a 4-year supply of housing land. It is important to note that this assessment of five-year land supply includes over 2,000 homes at proposed housing allocations within the Local Plan (2017). The potential housing land supply from this proposal is included in this assessment. It is officer opinion that the proposed 74 dwellings will make a valuable contribution towards the borough achieving a five-year housing land supply.'

10.0 Impact on character and appearance of the site and the surrounding area

10.1 Paragraph 126 of the NPPF recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 Paragraph 130 of the NPPF states “Decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

10.3 Paragraph 92 of the NPPF, amongst other matters, seeks to promote health and safe communities. Decisions should aim to achieve healthy, inclusive and safe places which: promote social interaction....street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; are safe and accessible....enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

10.4 Paragraph 131 of the NPPF states “Trees make an important contribution to the character and quality of urban environments and can also help to mitigate climate change.” It goes onto state that decisions should ensure that new streets are tree-lined (unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate). Opportunities should be taken to incorporate trees elsewhere into developments, secure measures to ensure the

long-term maintenance of newly planted trees and that existing trees are retained wherever possible.

10.5 Paragraph 134 of the NPPF makes it clear that development that is not well-designed, especially where it fails to reflect local design policies and government guidance on design should be refused. Significant weight should be given to development which reflects local design policies etc. and development which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the surroundings.

10.6 The NPPF paragraphs 199-208 refer to considering potential impacts on heritage assets. These paragraphs are consistent with LP policy DM6.6. Members are advised that the site is not located within a conservation area; it lies to the south of the Benton Conservation Area. Longbenton and Benton Conservation Area Character Appraisal (October 2007) is a material planning consideration when assessing any development affecting the character and setting of the designated conservation area.

10.7 LP Policy DM6.1 Design of Development states: "Applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate:

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

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

10.9 LP Policy DM4.9 'Housing Standards' states that the Council will require that new homes provide quality living environments for residents both now and in the future. All new homes, both market and affordable, are to meet the Government's Nationally Described Space Standards (NDSS).

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

10.11 The objections received regarding the design, impact on visual amenity and the loss of green space are noted.

10.12 It is noted that some consultee comments refer to planning application 18/01221/OUT. Members are advised that planning application 18/01221/OUT is still pending consideration and is not a material consideration to the determination of this current application. As with all planning applications, Members must determine this application on its own merits.

10.13 The site is not designated for any use within the LP. The site itself is fenced off and is not readily accessible for public use. It lies outside of the Benton Conservation Area; the designated conservation area is located to the north of A191 (Whitley Road). The site is located at the junction of one of the key routes into the conservation area. The built form within the conservation area is set back from the adjacent road and some of the higher buildings (Whinstone and Belvedere Gardens) are screened by mature trees. It is important to note that buildings exceeding two storeys in height exist within the conservation area including a residential block on Thornhill Road and Eastfield Road. The built form located to the west of the site and to the south side of the A191, outside of the conservation area, is sited closer to the A191. The built form to the south side of Whitley Road ranges in height from two storeys to three storeys. There are also a range of commercial buildings within the vicinity of the site. Therefore, the built form within the immediate surrounding area is varied.

10.14 The applicant has sought to address points raised by consultees and objectors. A revised layout has been submitted resulting in the relocation of the proposed Talbot apartment block. This has been relocated to address the impacts on the residential amenity of the closest residential property, No. 11 Whitley Road, and its impact on the adjacent conservation area. Further detailing has been added to the house types and surface materials have been amended.

10.15 The initial design comments received advised that the development of this site should preserve or enhance the character and appearance of the conservation area and its setting. The wider context of the locale is discussed in paragraph 10.13. Albeit the dominate built form in the conservation area is two storeys, taller buildings do exist within in it. The design comments express concerns about the design of the apartments and landscaping and the impact that this has on views from Benton Conservation Area.

10.16 The proposed layout accommodates the following housing mix: apartments (8 x 1 bed and 21 x 2 bed); semi-detached and detached houses (25 x 3 bed and 20 x 4 bed). All houses are two storeys, and the apartments are three storeys.

10.17 The proposed layout encourages ease of movement within the site and accommodates appropriate connections to Whitley Road and the adjacent Tyneview Park road. Existing perimeter landscaping has been retained where possible. The resulting layout creates a permeable and cohesive development with good surveillance over streets and routes that are safe and attractive for all users.

10.18 The most northern part of the site would accommodate two three storey apartment blocks (Talbot and Moore). The Talbot apartment block has been relocated so that is sited further away from the shared boundary with No. 11 Whitley Road and it is set back further from the northern boundary (adjacent to Whitley Road). It is clear from the design comments that the relocation of the Talbot apartment block creates additional space for landscaping to the north west of the building but reduces the area available for landscaping to the east of the building. The design comments consider this to be disappointing as it is the east of the building that is the most visible. The repositioning of the Talbot apartment block closer to the eastern boundary of the site must be balanced against the fact that a wider landscape buffer can be achieved to the most northern part of the site adjacent to Whitley Road which is more akin to the built form opposite within the conservation area. It would also assist in obscuring more direct views of the proposed Moore apartment block. Regard should also be given to the fact that this apartment block will only be visually prominent from a small area within the adjacent conservation area, mainly when directly in front of it and from the junction. Views of this apartment block when travelling east-west along Whitley Road will be partially obscured by existing built forms and vegetation.

10.19 As the site slopes southwards, the repositioning of the Talbot apartment block results in the finished floor levels being reduced by approximately 0.5m. It is considered that this reduction would provide a better relationship to the adjacent conservation area. Members need to determine whether the introduction of a three-storey apartment block to the south side of the A191 would significantly affect the character or appearance of the adjacent conservation area to such an extent that would sustain a recommendation of refusal. It is officer advice that it would not.

10.20 As already discussed, the proposed layout provides an active frontage as you enter the site, creating natural surveillance. The layout can be easily navigated with pedestrian access onto Whitley Road and the road serving Tyneview Park. The north part of the site would be occupied by apartments and the south part of the site would be occupied by housing (two storeys). Parking within the site is well dispersed. Each house has a private garden, and the apartments would have individual outside space in the form of balconies. It is considered that the submitted layout demonstrates that this site can accommodate the amount of proposed development.

10.21 A central area of open space is proposed. This area is overlooked providing natural surveillance. Part of this open space is required to accommodate the Sustainable Urban Drainage System (SuDS). Members are advised that the development of this site would not result in the loss of a designated area of open space or sports facilities. The site is fenced off and it is not publicly accessible. Furthermore, the site is within walking distance of local services and other infrastructure.

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

tree and hedgerow planting schemes and encouraging native species of local provenance.

10.23 Relevant tree surveys have been submitted to accompany this application. There are four protected trees within the site which are to be removed. Members are advised that the landscape proposals compensate for the loss of tree cover with replacement trees, including a line of extra-heavy standard trees along the eastern boundary. Several trees within Group 3 are to be removed to accommodate the widening of the roundabout. Most the trees in this location are young to semi-mature native trees that form part of a larger tree group whose purpose is for screening. This tree group is sited on land that rises above the road. These works may require a retaining wall which could further impact on the retained tree groups. Members are advised that the applicant has submitted a cross section to alleviate this concern.

10.24 The landscape proposals have been amended with improvements to landscaping, particularly around the site boundaries. The hedgerows along the frontages will assist in reducing the visual impact of the development. The addition of extra-heavy standard trees to the entrance with Whitley Road and along parts of the existing access road would create a strong visual feature. It is considered that this part of the landscape proposal supports the design comments that the frontage to Whitley Road should link with the views and settings from the conservation area where trees to the north side of the road and frontages feature strongly.

10.25 The Landscape Architect has advised, on balance, that the landscape proposals are much improved, promoting landscaping character, a sense of place and reducing the visual impacts of the development. It is clear from their comments that conditional approval is recommended.

10.26 The site slopes from north to south and slightly east to west. There is an earth bund along the southern edge of the site within the boundary of Tyneview Park car park. The site sits at a higher level than the road to the east of the site. The submitted Flood Risk Assessment (FRA) advises that finished floor levels should be raised locally to a minimum of 0.3m above the maximum water level of the proposed detention basin. A levels condition is recommended to secure these this and to ensure that the height of the dwellings would be acceptable in terms of their visual impact.

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

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

10.28 The proposed layout demonstrates that bin storage is provided on a plot-by-plot basis for housing. A communal bin store is provided for the apartments.

10.29 Members need to consider whether the layout is appropriate and whether this complies with current policy. Officer advice is that the proposed number of units' can be comfortably accommodated within the site without a significant

adverse impact on the character and appearance of the area, including the adjacent conservation area. Subject to the imposition of the suggested conditions, it is officer opinion that the site is capable of being developed in a manner which will comply with the relevant national and local planning policies.

11.0 Impact upon future occupants and existing occupants

11.1 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should amongst other matters; mitigate and reduce to a minimum potential adverse impact resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

11.2 LP Policy S1.4 of the Local Plan states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

11.3 LP 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.

11.4 LP Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces. Policy DM 4.9 sets out housing and accessibility standards.

11.5 The Design Quality SPD states that the quality of accommodation provided in residential development contributes significantly to the quality of life of residents. Residential schemes should provide accommodation of a good size, a good outlook, acceptable shape and layout of rooms and with main habitable rooms receiving daylight and adequate privacy.

11.6 The objections regarding the impact on amenity in terms of outlook, air quality and noise sources are noted.

11.7 The site is located in an area subject to a number of different noise sources that include for a number of sports fields, club, university campus and adjacent to the A191 which will be subject to road traffic noise.

11.8 The Manager for Environmental Health (Pollution) has been consulted. They have considered the supporting information submitted regarding noise and ventilation. In order to mitigate noise impacts from the adjacent noise sources an appropriate glazing and ventilation scheme will be required to the properties sited on the northern and eastern boundaries of the site. Any garden areas to the northern and eastern boundaries of the site would require an acoustic boundary treatment to ensure that adjacent noise sources can be appropriately mitigated to

ensure good outdoor amenity for residents. They have also advised that the proposed balconies fronting onto Whitley Road must be enclosed by acoustic screens to mitigate road traffic noise.

11.9 The NPPF, paragraph 55 states “Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Paragraph 56 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 185 aims to “avoid noise from giving rise to significant adverse impacts on health and quality of life”. Members are advised that it is clear from the environmental health comments set out in paragraphs 2.54-2.59 of the appendix to this report that appropriate mitigation to reduce the impacts arising from the identified noise sources can be secured by conditions.

11.10 Paragraph 187 advises that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. It goes on to state that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

11.11 It is clear from the Environmental Health comments that subject to the conditions, that the amenity of future occupants can be adequately protected without impacting on existing businesses and facilities.

11.12 It is clear from the Environmental Health comments that they have not raised any concerns regarding air quality.

11.13 Members are advised that the levels across the site differ and that the site towards its southern end sits at a higher land level than the adjacent road and buildings located to the south. A levels condition is recommended.

11.14 The planning system cannot protect open views. However, the outlook of the development when viewed from neighbouring properties must be considered to establish whether the proposed development would have an overbearing or oppressive effect on nearby properties.

11.15 The proposed Talbot House apartments would be located in the most northern part of the site. This apartment block would be three storeys. It would be located to the south of No. 29 Tynedale Terrace and Whinstone Mews. Views from any ground floor windows serving these properties would be obscured by existing boundary enclosures. Views from the upper floor windows serving Whinstone Mews would be obscured by the mature trees (greater coverage during summer months rather than winter months). Whilst the apartment block would alter the outlook from these properties, it is not considered that this impact would be sufficient to sustain a recommendation of refusal. It is also considered that an appropriate privacy distance would be achieved to ensure that the privacy for both existing and future occupants would not be significantly impacted on.

11.16 An objection has been received from No. 11 Whitley Road. This objection questions the accuracy of the plans submitted as the Ordnance Survey (OS) plan does not accurately show the extent of the land now owned by this property. The occupier of No. 11 has acquired additional land to extend their garden. The applicant has advised that the layout shows the boundary to No. 11 correctly as it is based on an up-to-date OS. The OS cannot be manually updated however, the applicant has always been aware of the given ownership. The proposed site plan clearly shows the relationship between the proposed development and the extent of this neighbouring land.

11.17 The proposed Talbot House apartments would be located to the east of No. 11 Whitley Road. A site visit has confirmed that the garden area serving this neighbouring property has been extended and it now lies adjacent to the application site. Part of this neighbouring garden sits at a lower level than the application site, approximately 2m lower. There are four windows sited in the east gable of this neighbouring property: two at ground floor (kitchen and dining room) and two at first floor (bedrooms). Due to the relocation of the proposed Talbot apartment block, these windows no longer afford direct views of it. It is acknowledged that obscure views of these apartments would be afforded. Views of the proposed apartment blocks would be afforded from various points within this neighbouring garden. At its closest point this apartment block would be sited approximately 35m from the east elevation of this neighbouring property and approximately 12m from this shared boundary. The hipped roof design would also assist in reducing its visual impact. Taking into consideration the siting of the proposed Talbot apartment block (to the east of this neighbouring property) and its design, it is not considered that the residential amenity of this neighbouring property would be significantly affected in terms of outlook.

11.18 The submitted Shadow Study illustrates the existing situation and the impact of the proposed Talbot apartment block on the neighbouring property, No. 11 Whitley Road. The study demonstrates that in all four seasons there is limited to no impact on part of this neighbour's garden from 10am onwards. Based on this study and having regard to the siting and design of this apartment block, it is not considered that the impact on light to part of this neighbour's garden would be sufficient to sustain a recommendation of refusal.

11.19 The windows sited in the south west elevation of the proposed Talbot block would mainly afford views over the extended part of the garden area now serving No. 11 Whitley Road. Three windows are sited in this elevation (one at each floor). These windows would serve a kitchen. It is not considered that the ground floor window would impact on the privacy of this neighbouring property due to the existing boundary treatment. Views from the first and second floor window would be over part of the garden serving this neighbouring property. Taking into consideration the size and siting of these windows, it is not considered that the privacy of No. 11 Whitley Road would be significantly affected to such an extent that would sustain a recommendation of refusal.

11.20 It is noted that balconies are proposed to the front elevation. It is not considered that the siting of the first and second floor balconies would result in a significant impact on the privacy of No. 11 Whitley Road to such an extent that would sustain a recommendation of refusal.

11.21 Five parking bays are proposed directly adjacent to part of the shared boundary with No. 11 Whitley Road. A further 12 parking bays are sited near the shared boundary with No. 11. These parking bays are separated from the existing boundary treatment by an area of proposed landscaping. Due to the existing boundary treatment along this part of the neighbouring property, it is not considered that the use of these parking bays would significantly affect their residential amenity.

11.22 It is not considered that the residential amenity of the properties sited on Marquis Close to the west of the site would be significantly impacted upon.

11.23 The proposed layout demonstrates that appropriate privacy distances can be achieved within the site. The layout also achieves acceptable impacts in terms of outlook and light. Each house has its own outdoor amenity space, refuse store and parking. Each apartment has an area of outdoor amenity space in the form of a balcony. A condition is recommended to ensure that all houses and apartments comply with Policy DM4.9.

11.24 Members need to consider whether the proposal will have an adverse impact on residential amenity. It is officer advice that subject to conditions, the impacts on residential amenity are acceptable. As such, the proposed development is considered to comply with the relevant national and local planning policies.

12.0 Highways

12.1 The NPPF paragraph 111 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.2 The NPPF paragraph 112 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

12.3 The NPPF paragraph 113 sets out guidance on sustainability and connectivity.

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

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

12.6 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

12.7 Objections have been received regarding the impact on highway safety, including access/egress to the site and increase in traffic. These objections are noted.

12.8 A Transport Assessment (TA) and Travel Plan (TP) have been submitted to accompany this application. This includes a site accessibility audit which confirmed the proposed development is accessible by various modes of transport, including walking, cycling and public transport (bus and metro).

12.9 The site is accessed from the A191 (Whitley Road) via the existing access to Tyneview Park. Pedestrian access would also be provided along the eastern boundary of the site linking the site to Whitley Road. Further pedestrian access is provided to the north of the site.

12.10 Parking has been provided in accordance with LDD12 and visitor parking is distributed throughout the site. Cycle parking is accommodated within individual garages or timber sheds located in private gardens. Cycle storage for the Moore apartment block is an external storage facility. An internal cycle storage facility in the Talbot apartment block is provided.

12.11 The Highways Network Manager has been consulted. He has considered the submitted TA, TP and highway improvements that have been carried out on the A191 corridor in recent years. The submitted TP seeks to reduce car journeys associated with the site, which has good public transport links.

12.12 The NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual impacts on the road network would be severe. In this case, it is clear from the Highway Network Managers comment that, in their opinion, the proposed development would not result in any unacceptable or severe impacts.

12.13 The site is located within walking distance of bus and Metro services. Pedestrian access onto Whitley Road is provided in the north of the site and vehicular and pedestrian access onto Tyneview Park is provided via the main site access/egress to the eastern boundary. The Sustainable Transport Team Leader considers these connections to be acceptable. They have requested a detailed TP to be submitted and a TP Bond to be secured via a S106 Agreement.

12.14 It is noted that additional connections were requested by the PRoW Officer. However, these requested connections would require the removal of landscaping that is proposed to mitigate the impacts of this development, access over land not within the ownership of the applicant and the connection requested to the south east corner would be over an embankment resulting in the removal of required landscaping and it would not be DDA compliant. The connections proposed by the applicant are considered to be sufficient to meet the requirements of this development.

12.15 Nexus has been consulted. They have requested that, if appropriate, that the applicant meet the costs of two introductory tickets per dwelling to the equivalent of four week's travel per ticket. This would be secured as part of the TP requirements.

12.16 Members need to consider whether the proposal is acceptable in terms of its impact on highway safety and the wider highway network. It is officer advice that subject to conditions the proposal is acceptable. As such, the proposed development is considered to accord with both national and local planning policy.

13.0 Biodiversity

13.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural environment.

13.2 Paragraph 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Amongst other matters, this includes minimising the impacts of biodiversity and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

13.3 Paragraph 179 of the NPPF states that when determining planning applications LPAs should aim to protect and enhance biodiversity and geodiversity by following the principles set out in paragraph 180 which includes, amongst other matters, if significant harm cannot be avoided, adequately mitigated, or as a last resort, compensated from the planning permission should be refused.

13.4 LP Policy S5.4 Biodiversity and Geodiversity seeks to protect, create, enhance and manage sites within the borough relative to their significance.

13.5 LP DM5.5 'Managing effects on Biodiversity and Geodiversity', amongst other matters, seeks to protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links. Proposals should maximise opportunities to create, restore, enhance, manage and connect natural habitat. Net gains to biodiversity should be considered, unless otherwise shown to be inappropriate. Proposals that are likely to significantly affect nationally or locally designated sites, protected species, or priority species and habitats (as identified in the BAP), identified within the most up to date Green Infrastructure Strategy, would only be permitted where: the benefits of the proposal clearly demonstrably outweigh any adverse impacts, applications are accompanied by the appropriate ecological surveys that are carried out to industry guidelines, and for all adverse impacts of the development appropriate on site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals. This must be accompanied by a management plan and monitoring schedule, as agreed by the Council.

13.6 LP Policy DM5.7 'Wildlife Corridors' states: "Development proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the

quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.”

13.7 An Ecological Appraisal and Biodiversity Net Gain (BGN) Assessment have been submitted to accompany this application

13.8 The objections received on the grounds of loss of wildlife are noted.

13.9 The site is located between two wildlife corridors to the east and west of the site. The ecological appraisal for this site states that the dense scrub hedgerow, woodland strip and scattered trees within the site provided foraging and nesting opportunities for birds and foraging and commuting habitat for bats.

13.10 A Biodiversity Net Gain (BGN) assessment was undertaken which demonstrated that the proposed development would result in a biodiversity net loss post development. This net loss was addressed through off-site compensation on land located at Wideopen. In response to concerns raised by the Biodiversity Officer the applicant has updated the landscape proposals within the site and amended the BNG Assessment in accordance with these changes. This assessment concludes that as there remains a net loss of habitat resulting from the scheme off-site compensation will be required. The Biodiversity Officer has advised that with the current on-site mitigation and off-site compensation land, the scheme will achieve BGN (habitat net gain and hedgerow net gain). Overall, the scheme provides landscaping and habitat creation and meets the requirement of BGN. On this basis, the Biodiversity Officer has recommended conditional approval.

13.11 The application site is located beyond the 6km buffer of the Northumbria Coast Special Protection Area (SPA). However, it will still have an impact on the coast as a result of an increase in recreational disturbance. This development will need to comply with the Coastal Mitigation SPD which provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. This development is required to pay the lower tariff (J151.00 per dwelling). The applicant has agreed to pay this financial contribution.

13.12 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity and landscaping. It is officer advice that subject to conditions it is acceptable.

14.0 Other issues

14.1 Flooding

14.2 Paragraph 167 of the NPPF states “When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment....”

14.3 LP Policy DM5.14 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable

drainage systems (unless otherwise updated and/or superseded). A reduction in surface water run off rates will be sought for all new development. On brownfield sites, surface water run off rates post development should be limited to a maximum of 50% of the flows discharged immediately prior to development where appropriate and achievable. For greenfield sites, surface water run off post development must meet or exceed the infiltration capacity of the greenfield prior to development incorporating an allowance for climate change.

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

14.5 The objections received regarding flood risk are noted.

14.6 A Flood Risk Assessment (FRA) has been submitted to accompany this planning application. The site is located within Flood Zone 1, but it is acknowledged that there are small areas of surface water flooding along the southern boundary. This assessment advises that based on the assessment of the flood risk and the inclusion of the mitigation measures (detention basin, storage tanks, raising the finished floor levels of relevant properties and directing surface water away from dwelling entrances) that flood risk can be appropriately managed.

14.7 The submitted information has been considered by the Lead Local Flood Authority (LLFA) and Northumbrian Water.

14.8 The LLFA has advised that the development will be providing surface water attenuation within the site for up to a 1in100 year rainfall event via a detention basin and two attenuation tanks and an upsized sewer. The discharge rate from the site will be controlled and flows will be restricted to the pre-development greenfield runoff rates for the 1 in 1 and 1 in 100-year return periods respectively which includes allowances for climate change and urban creep. The surface water from the site will discharge into the Wallsend Burn located to the south of the site via a dedicated surface water sewer which will include a connection from existing highway drainage system. On this basis, the LLFA has recommended conditional approval.

14.9 Northumbrian Water have been consulted. They have recommended conditional approval.

14.10 Members need to consider whether the proposal is acceptable in terms of its impact on flooding. It is officer advice that subject to conditions it is acceptable.

14.11 Contaminated Land and ground conditions

14.12 Paragraph 183 of the NPPF states planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination i.e. mining or land remediation.

14.13 Paragraph 184 of the NPPF goes on to say that where a site is affected by contamination or land instability issues, responsibility for securing a safe development, rests with the developer and/or landowner.

14.14 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.

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

14.16 The Coal Authority has raised no objection to the proposed development.

14.17 Members need to consider whether the proposal is acceptable in terms of its impact on ground conditions. It is officer advice that subject to conditions it is acceptable.

14.18 Archaeology

14.19 Paragraph 205 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.”

14.20 LP 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.

14.21 The objection regarding the archaeological interest of this site is noted.

14.22 The applicant has advised in their supporting documentation that previous correspondence from the Tyne and Wear Archaeology Officer advised that no further archaeological works were required at this site. This correspondence also confirmed the following points:

- In 2008 the site was of archaeological interest due to its wartime use (the site was occupied by the RAF during WWII).
- After the war the barrack blocks were used for record storage by the Ministry of Pensions and National Insurance. A fire in the late 1980s partly destroyed the buildings.
- All the wartime buildings were demolished in the 1990s without record.
- The site has subsequently been levelled and built up with made ground derived from the demolished wartime structures.
- The site now has low or no archaeological potential and so further archaeological work is not required.

14.23 The Tyne and Wear Archaeology Officer has been consulted. She has advised that no archaeological work is required.

15.0 S106 Contributions

15.1 Paragraph 55 of NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

15.2 Paragraph 57 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.

15.3 LP 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.

15.4 LP 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.

15.5 LP 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.

15.6 LP Policy DM4.7 'Affordable Housing' sets out that to meet the Borough wide housing target, the Council will seek provision of 25% affordable homes on new housing developments.

15.7 The Council's adopted SPD on Planning Obligations (2018) states that the Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with the applicants to identify appropriate solutions where matters of viability arise and require negotiation.

15.8 The applicant has confirmed that they are agreeable to the following financial contributions and off-site mitigation requested by service areas:

- 25% affordable housing provision
- Ecology and biodiversity J14, 430.00
- Allotments J7, 258.00
- Parks and greenspaces J39, 400.00
- Equipped play area/multi use games area J46, 200.00
- Sports Pitches J47, 730.00

- Built Sports J53, 492.00
- Primary education J200, 000.00
- Employment and training J14, 000.00 or two apprenticeships
- Coastal mitigation J11, 174.00
- Travel Plan, including Travel Plan Scope, and Travel Plan Bond
- Biodiversity off-site compensation land

15.9 These contributions are considered necessary, directly related to the development and fairly and reasonable relate in scale and kind to the development and therefore comply with the CIL Regulations.

15.10 A CIL payment will be required in respect of this development.

16.0 Local Financial Considerations

16.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance considerations as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments).

16.2 The proposal involves the creation of 74 new dwellings. Granting planning permission for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive. The New Homes Bonus is a government grant for each home built equivalent in value to the average Band D Council Tax charge in England in the preceding year. New Homes Bonus is paid to the Authority each year for new homes completed for a period of four years from the completion of each new home. An additional sum is paid for each empty home brought back in to use and for each affordable home delivered.

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

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

17.0 Conclusions

17.1 Members should consider carefully 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 site is not allocated for housing development in the Local Plan. However, policy DM5.4 states that applications for housing on sites not allocated

as such should be viewed positively where amongst other matters it would make a positive contribution towards the Borough's identified housing needs.

17.4 This proposal would make a valuable contribution towards the requirement for the council to have a 5-year supply of deliverable housing sites. This is a significant material consideration which weighs in favour of the proposal.

17.5 The design and layout of the proposal has been amended so that it would not have an adverse impact upon the character and appearance of the site, its surroundings or upon the adjacent Conservation Area.

17.6 The proposal would ensure a sufficient separation distances to neighbouring properties so as to not adversely affect their privacy or amenity.

17.7 The proposal would provide parking in accordance with the Council adopted standards and would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe.

17.8 Subject to a legal agreement and conditions securing off-site mitigation the proposal would provide biodiversity net gain, which is encouraged by NPPF.

17.9 The site is of no/low archaeological value.

17.10 Issues to do with flooding and contaminated land can be dealt with via conditions

17.11 The applicant has agreed to provide planning obligations in accordance with what the Council is seeking. The provision of the policy compliant 25% affordable housing is a particular benefit which weighs in favour of this proposal.

17.12 The Council does not have a 5-year supply of deliverable housing sites. It therefore follows that planning permission should be granted unless the impacts of the development significantly and demonstrably outweigh the benefits. In the opinion of officer's the impacts of the development would not significantly and demonstrably outweigh the benefits. It is therefore recommended that planning permission should be granted subject to a S106 Legal Agreement and conditions.

RECOMMENDATION:

The Committee is recommended to

- a) indicate that it is minded to grant this application subject to an agreement under Section 106 of the Town and Country Planning Act 1990 and the addition, omission or amendment of any other conditions considered necessary.**
- b) to authorise the Director of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following:**
 - 25% affordable housing provision**
 - Ecology and biodiversity £14, 430.00**
 - Allotments £7, 258.00**

- Parks and greenspaces £39, 400.00
 - Equipped play area/multi use games area £46, 200.00
 - Sports Pitches £47, 730.00
 - Built Sports £53, 492.00
 - Primary education £200, 000.00
 - Employment and training £14, 000.00 or two apprenticeships
 - Coastal mitigation £11, 174.00
 - Travel Plan, including Travel Plan Scope, and Travel Plan Bond
 - Biodiversity off-site compensation land
- c) authorise that the Director of Law and Governance and the Director of Environment, Housing and Leisure to undertake all necessary procedures (Section 278 Agreement) to secure:
- Upgrade of access road from the A191 Whitley Road to an adoptable standard
 - Upgrade of footpaths abutting the site
 - Associated street lighting
 - Associated drainage
 - Associated road markings
 - Associated Traffic Regulation Orders
 - Associated street furniture & signage

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
 - Proposed site layout Dwg No. 101 T
 - Boundary treatment layout Dwg No. 102 J
 - Adoptable highway layout Dwg No. 103 H
 - Landscape Masterplan Dwg No. C-1829-01 Rev G
 - Landscape Proposals Phase 1 of 3 Dwg No. C-1829-02 Rev A
 - Landscape Proposals Phase 2 of 3 Dwg No. C-1829-03 Rev A
 - Landscape Proposals Phase 3 of 3 Dwg No. C-1829-04 Rev A
 - Engineering appraisal Sheet 1 Dwg No. 01 P6
 - Engineering appraisal Sheet 2 Dwg No. 02 P6
 - Engineering appraisal Sheet 4 Dwg No. 04 P2
 - The Chandler Floor Plan Dwg No. A_951_00_TF_01_CH_3B_2S_PI A
 - The Chandler Elevation Dwg No. A_951_00_TF_02_CH_3B_2S_TF E
 - The Harper Floor Plan Dwg No. A_1026_00_TF_01_HA_3B_2S_PI
 - The Harper Elevation Dwg No. A_1026_00_TF_02_HA_3B_2S_TF E
 - The Sawyer Floor Plan Dwg No. A_1092_00_TF_01_SY_3B_2S_PI
 - The Sawyer Elevation Dwg No. A_1092_00_TF_02_SY_3B_2S_TF E
 - The Reedmaker Floor Plan Dwg No. RE-4B-2S-PI A
 - The Reedmaker Elevation Dwg No. A_1309_00_TF_02_RE_4B_2S_TF E
 - The Cutler Floor Plan Dwg No. A_1335_00_TF_01_CU_4B_2S_PI
 - The Cutler Elevation Dwg No. A_1335_00_TF_02_CU_4B_2S_TF E
 - The Bowyer Floor Plan Dwg No. A_1356_00_TF_01_BO_4B_2S_PI A
 - The Bowyer Elevation Dwg No. A_1356_00_TF_02_BO_4B_2S_TF E
 - The Lorimer Floor Plan Dwg No. LO-4B-2S-P1 A
 - The Lorimer Elevation Dwg No. A_1550_00_TF_02_LO_4B_2S_TF E
 - The Blemmere Floor Plan Dwg No. BM-3B-2S-TF-PI A

The Blemmere Elevation Dwg No. BM-3B-2S-TF-E-A
Single garage Dwg No. A/218/00/CB/R1/01
The Moore Dwg No. MOA/3S-TF01-E-A
The Moore (3S) Dwg No. MOA-TF01-P1
The Moore (3S) Dwg No. MOA-TF01-P2
The Moore (3S) Dwg No. MOA-TF01-P3
Talbot Elevations Dwg No. TAA-3S-TF01 E
Talbot Floor Plans Dwg No. TAA-TF01-P1
Talbot Floor Plans Dwg No. TAA-TF01-P2
Talbot Floor Plans Dwg No. TAA-TF01-P3
Balcony details Dwg No. Dwg no. A/TAMO/00/TFWR/03 Rev A
Swept Path Assessment Refuse Vehicle Dwg No. 0004 B
Swept Path Assessment Estate Car Dwg No. 0003 A
Flood Risk Assessment and Drainage Strategy Dated 22 September 2021
(20199-FRA-01 Rev 5)

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

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. Prior to the commencement of the development a detailed Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The remediation method must include phase 1 and 2 reports in accordance with BS10175 risk assessment pre and post remediation scheme. The method statement must specify remediation for each identified contaminants giving installation or construction methods required to break pathway, or specifying disposal; or in situ treatment as deemed appropriate, the handling and disposal of contaminants to prevent spread of contaminants and the critical control checks required to ensure remediation areas, handling and deposition areas and installation drawings of gas protection scheme must be included.

The design of the remediation strategy should consider the results from the previous two phases of investigation and consider the proposed use/layout of the development.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protections Act 1990 in relation to the intended use of the land after remediation. An options appraisal will only be acceptable upon the inclusion of the recommended preferred option.

The Remediation Method Statement should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Development on Land Affected by Contamination YALPAG Version 11.2 - June 2020, Land Contamination Risk Management.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

4. Prior to the first occupation of the development hereby permitted, a Remediation Validation report for the site must be submitted to and approved in writing by the Local Planning Authority. A Validation report (sometimes referred to as a Verification report) is used to demonstrate remediation completed in accordance with submitted and approved remediation report.

This report must contain the following:

- A summary of site investigation and remediation works undertaken with accompanying site layout identifying source / treatment areas;
- Confirmation of Required Concentration of Reduction Targets, and/or Cover and Break Screens;
- Post Remediation Interpretative report of Sampling to demonstrate compliance with quantitative goals.
- An explanation / discussion of any anomalous results, or failure to meet agreed target values, alongside additional work proposed and actioned;
- Demonstrate via photographic and documentation evidence of remedial measures;
- Post-remediation contaminated land risk assessment profile;
- Cross sectional diagrams for the site and detailed plans of the site.

The Remediation Validation report should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

5. If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority within 24 hours. Work must be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters. If required remediation of any unexpected contamination or underground storage tanks discovered during the development must take place before development recommences. Thereafter the development shall not be implemented otherwise than in accordance with the scheme approved under the planning consent.

Any additional reports should be written in accordance with the current government guidelines including but not exclusive of those including in the BS10175 2011+A1 2013, BS 5930 2015 +A12020, Verification Requirements for Cover Systems YALPAG Version 3.4 - November 2017, Land Contamination Risk Management - Environment Agency.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

6. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the

gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

7. Prior to the re-use of any soils on the site a Materials Management Plan carried out by a Qualified Person shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: To ensure the safe and legislatively compliant re-use of the soils on site having regard to Policy DM5.18 of the North Tyneside Local Plan (2017).

8. Prior to the commencement of any part of the development hereby approved above damp proof course levels, a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall provide details of the window glazing to be provided to habitable rooms for plots located to the north and eastern boundary of the site as outlined in noise report LAE1066.1, to ensure bedrooms meet the good internal standard of 30 dB LAeq at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 30dB LAeq as described in BS8233:2014 and the World Health Organisation community noise guidelines. The approved scheme shall be implemented prior to the occupation of each dwelling and retained thereafter.

Reason: In order to protect the amenity of the occupiers of the proposed dwellings, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

9. Prior to commencement of any dwelling hereby approved above damp proof course level, details of the ventilation scheme in accordance with the submitted noise report (ref: 8508.1) shall be submitted to and approved in writing by the Local Planning Authority. For habitable properties located to the eastern boundary facing towards the sports pitches where the internal noise levels specified in BS8233 are not achievable, with window open, an alternative mechanical ventilation must be provided, such as mechanical heat recovery (MVHR) system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. Full details of the alternative mechanical ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. The approved scheme shall be implemented prior to the occupation of each dwelling and retained thereafter.

Reason: In order to protect the amenity of the occupiers of the proposed dwellings, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

10. Notwithstanding Condition 1, 1.2m high acoustic screening must be installed to all balconies facing Whitley Road and the Blue Flame Sports Club to the eastern boundary of the site in accordance with (Dwg No. A/TAM0/00/TFWR/03 Rev A). These acoustic screens shall be installed prior to the occupation of each dwelling and shall be permanently maintained and retained. Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policies DM6.1 and DM5.19 of the North Tyneside Local Plan (2017).

11. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

12. The 1.8m high acoustic fencing, consisting of overlapped fencing panels, shall be installed in accordance to the boundary treatments layout drawing reference P20-0480 Drawing No. 102 E prior to the occupation of each dwelling and thereafter retained to protect gardens against traffic related noise and noise arising from use of the sports pitches.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policies DM6.1 and DM5.19 of the North Tyneside Local Plan (2017).

13. Notwithstanding Condition 1, prior to the commencement of any construction works on the site details showing the existing and proposed ground levels and levels of thresholds and floor levels of the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements and protecting existing landscape features having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

14. Notwithstanding Condition 1, the proposed dwellings must comply with the housing standards set out under Policy DM4.9 of the North Tyneside Local Plan (2017).

Reason: To ensure appropriate living conditions for future occupiers are provided in accordance with Policy DM4.9 of the North Tyneside Local Plan (2017).

15. Notwithstanding Condition 1, prior to the construction of any part of the development hereby approved above damp-proof course level a schedule and/or samples of all surfacing materials and external building materials, including doors and windows) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory appearance having regard to Policy DM6.1 of the North Tyneside Local Plan (2017).

16. No part of the development hereby approved shall be occupied until the new means of access to Tyneview Park Road has been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

17. The scheme for parking, garaging and manoeuvring for each dwelling indicated on the approved plans shall be laid out prior to the initial occupation of the relevant dwelling hereby permitted and these areas shall not thereafter be used for any other purpose.

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

18. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

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

19. Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and/or mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

Reason: This information is required pre development to ensure that the adoptable highway(s) is kept free from mud and debris in the interests of highway safety having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

20. Notwithstanding Condition 1, prior to the commencement of development a detailed scheme for the following off site highway works, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority:

- Upgrade of access road from A191 Whitley Road to an adoptable standard
- Upgrade of footpaths abutting the site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture and signage

Thereafter, these agreed works shall be implemented in accordance with these agreed details and within the timescales set out.

Reason: This information is required at the outset, in order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

21. A minimum drive length of 5.5 metres (or 5.0 metres if a roller shutter type door is used) between garage door and footpath edge shall be maintained at all times in the future ie the garage doors shall not be brought forward from the approved locations.

Reason: A minimum driveway length of 5.5 metres (or 5 metres if a roller shutter type door is to be used) is to be provided on site to ensure that a vehicle can stand on the driveway while the garage doors are opened. Any reduction in driveway length may lead to the car overhanging the footway or being parked on the public highway to the detriment of pedestrian/highway safety and amenity having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

22. Notwithstanding Condition 1, the development hereby permitted shall be carried out in full accordance with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" revision 5 dated "2 September 2021" unless otherwise first agreed in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. The drainage scheme shall ensure that fowls flows discharge to the public sewer at manhole 008 and ensure that surface water

discharges to the watercourse. 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.

23. Notwithstanding Condition 1, prior to the occupation of the first dwelling details of the appointed Sustainable Urban Management Company (including any temporary or short term arrangements prior to full occupation of the development) shall be submitted to and approved in writing by the Local Planning Authority in consultation with 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.

24. Prior to the commencement of any part of the development hereby approved, the trees within or adjacent to and overhang the site that are to be retained must be protected by fencing and in the locations shown and detailed in the Tree Protection Plan (June 2021) submitted by Elliott Consultancy Ltd unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place in areas of the site until the works in those areas are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority. Photographic evidence of the fence in place is to be submitted.

Reason: To ensure existing landscape features to be retained are adequately protected during construction works having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

25. All works to be carried out in accordance with the submitted Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (June 2021) submitted by Elliott Consultancy Ltd and within the guidelines contained within BS5837:2012 and NJUG Volume 4. The AMS is to form part of the contractor's method statement regarding the proposed construction works.

Reason: To ensure existing landscape features to be retained are adequately protected during construction works having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

26. All works relating to the installation of services to the eastern boundary and within the RPA of the retained trees are to be installed in accordance with the AMS.

Reason: To ensure existing landscape features to be retained are adequately protected during construction works having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

27. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a Great Crested Newt Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset to ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

28. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 10no. bat boxes to be installed on buildings and trees within the development site, including specifications and locations, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of the dwelling(s) on which they are to be installed and permanently retained.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

29. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 10no. bird boxes to be installed on buildings and trees within the development site, including specifications and locations, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of the dwelling(s) on which they are to be installed and permanently retained.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

30. Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. The lighting scheme shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

31. No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

32. Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

33. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved an updated badger checking survey shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset to ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

34. Notwithstanding Condition 1, prior to the installation of any fencing within the development site details of hedgehog gaps and their locations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby shall be carried out in full accordance with these agreed details which shall be installed prior to the occupation of the dwelling and permanently retained and maintained.

Reason: To ensure that local wildlife populations are protected in the interests of ecology having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

35. The landscaping scheme approved at Condition 1 shall be implemented in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard (4428: 1989). On site landscaping is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. The landscape maintenance scheme shall be implemented in accordance with these agreed details.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to Policies DM6.1 and DM5.9 of the North Tyneside Local Plan (2017).

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

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

Informatives

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

Contact ERH Construct Highway Access (I05)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

Take Care Proximity to Party Boundary (I21)

Advice All Works Within Applicants Land (I29)

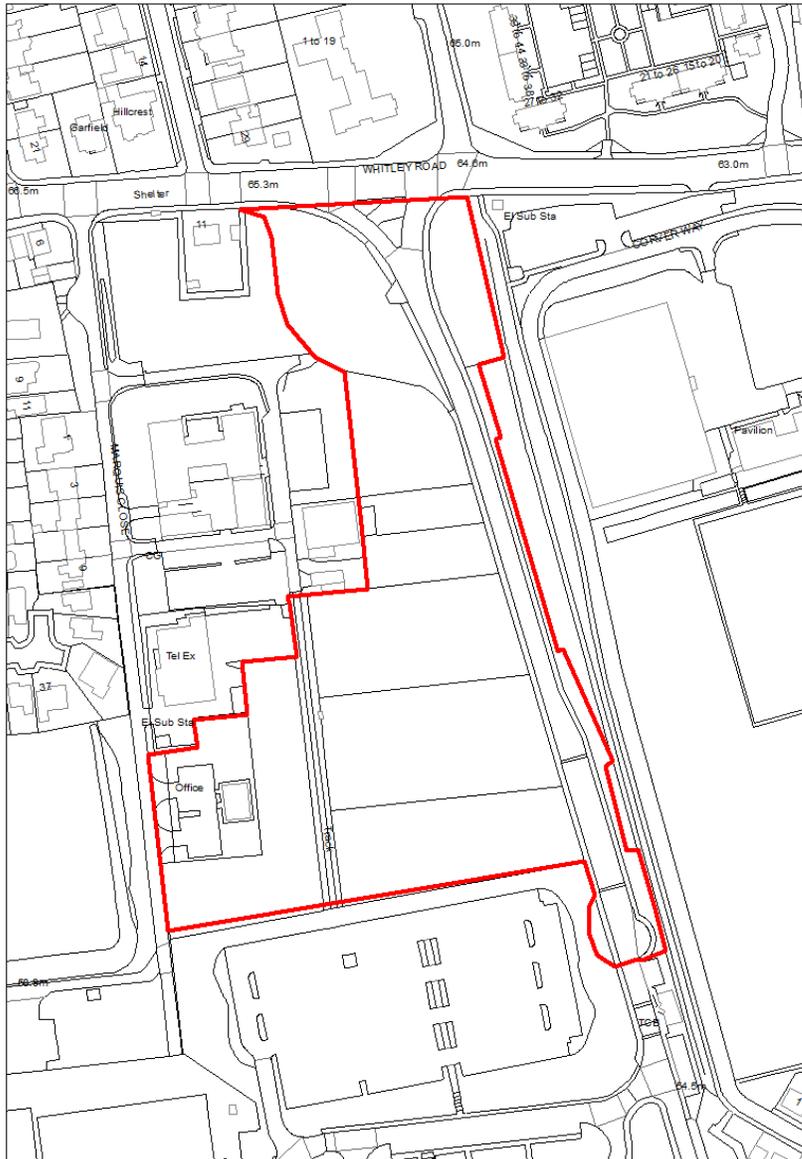
Coal Mining Standing Advice (FUL,OUT) (I44)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling & garden waste collection vehicles against any claims for damages to the internal road and parking layout.

Northumbrian Water informs you that a strategic water main crosses the northern boundary of the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. Further information is available at: <https://nwl.co.uk/services/developers>



Application reference: 20/02033/FUL

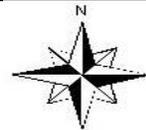
Location: Land South Of, Whitley Road, Benton, NEWCASTLE UPON TYNE

Proposal: Erection of residential development comprising 74 dwellings (Class C3) with associated access, parking, landscaping and infrastructure (revised plans 30.04.2021)

Not to scale

Date: 16.09.2021

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**Appendix 1 – 20/02033/FUL
Item 1**

Consultations/representations

1.0 Ward Councillor

1.1 Objection from local Ward Councillors Janet Hunter, Pat Oliver and Peter Earley.

1.2 As local ward councillors we are objecting to the proposed development on this land.

1.3 There was an original application which was granted for approximately 55 dwellings.

1.4 In 2018 there was an application for 68 dwellings.

1.5 In the interim there have been a number of other developments in the area:

- Development of 75 houses on the Billy Pit site
- Development of 71 houses on the Darsley Gardens site
- Development of 14 houses at the St Bartholomew's school site

1.6 All of these are within a few hundred metres of this proposed development. They have all put increased traffic on roads that are already at capacity and with developments at East Benton Rise and Holystone estate this can only increase. This development would increase the traffic and strain on the road system. The proposed access is via Tyneview Park road. At peak times cars leaving the site have long waits as there are 3 way lights with priority given to vehicles travelling east - west.

1.7 In addition to this the development of the Killingworth Moor site will mean additional traffic using Station Road.

1.8 There is also the possibility that more trees would be lost as none on the site have a protection order.

1.9 The plans include 3 storey apartments to be built at the front of the site. We believe that the height of 3 storey blocks is out of keeping with the development in the rest of the area. Whilst there are flats opposite (Whinstone House) they are lower, set back from the road and surrounded by mature planting.

1.10 These blocks would also overlook the ex-police house thus depriving them of privacy in the house and garden.

1.11 The opposite side of Whitley Road is part of the Benton Conservation area and these apartment blocks are out of keeping with the designs of properties in that area rather than enhancing and preserving it.

1.12 This application is for 74 dwellings an increased number over the last two applications.

1.13 We believe this would both be an overdevelopment of the site not in keeping with the conservation area it adjoins and would cause increased traffic problems in a road system already at capacity.

2.0 Internal Consultees

2.1 Highways Network Manager

2.2 This application is for the erection of a residential development comprising 74 dwellings with associated access, parking, landscaping and infrastructure.

2.3 The site is accessed from the A191, Whitley Road via the existing access to Tyne View Park, which will be upgraded at the developer's expense and adopted by the Local Highway Authority. A Transport assessment (TA) and Travel, Plan (TP) were included in the application. The impact of development traffic on the local highway network is not considered to be severe and several improvements have been carried out on the A191 corridor in recent years. The TP seeks to reduce car journeys associated with the site, which has good links to public transport. Parking has been provided in accordance with LDD12 and cycle storage is included in garages & sheds. Conditional approval is recommended.

2.4 Recommendation - Conditional Approval

2.5 The applicant will be required to enter into an appropriate Legal Agreement for the following works:

- Upgrade of access road from the A191 Whitley Road to an adoptable standard
- Upgrade of footpaths abutting the site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

2.6 Conditions:

ACC11 - New Access: Access prior to Occ

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

No part of the development shall be occupied until a scheme for the following off-site highway works has been submitted to and approved by in writing the Local Planning Authority:

Upgrade of access road from the A191 Whitley Road to an adoptable standard

Upgrade of footpaths abutting the site

Associated street lighting

Associated drainage

Associated road markings

Associated Traffic Regulation Orders

Associated street furniture & signage

The scheme shall be implemented in accordance with the approved details and retained thereafter

Reason: In the interest of highway safety

2.7 Informatives:

I05 - Contact ERH: Construct Highway Access

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dv/pt

The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling & garden waste collection vehicles against any claims for damages to the internal road and parking layout.

2.8 Officer note: Highways have liaised with the Operations Manager who has confirmed that the Council policy is to bring bins to the adopted kerbside location.

2.9 Sustainable Transport Team Leader

2.10 I am happy with the new path connections that they propose on the north of the site as this provides direct links for residents at the northern end of the site.

2.11 As all plots are within 800m walking distance of the Metro station I am happy with the level of public transport.

2.12 A Full Travel Plan, including Trave Plan Scope, is required for this development.

2.13 A J25,900.00 Travel Plan Bond is required, to be included as a Section 106 Agreement.

2.14 Lead Local Flood Authority (LLFA)

2.15 I have carried out a review of the surface water drainage proposals as detailed in planning application 20/02033/FUL, I can confirm in principle I have no objections of the proposals as the development will be providing surface water attenuation within the site for up to a 1in100 year rainfall event via the use of a 125m³ Detention basin, 2No. attenuation tanks with 74m³ and 140m³ capacity and an upsized 1500mm diameter sewer. The discharge from the site will be controlled via a vortex flow control device which will restrict flows to the predevelopment greenfield runoff rates of 7.3l/s and 17.7l/s for the 1 in 1 and 1 in 100 year return periods respectively which includes allowances for climate change and urban creep. The surface water from the site will discharge into the Wallsend Burn located to the South of the development site via a dedicated surface water sewer which will include a connection from existing highway drainage system.

2.16 I would recommend the following conditions are placed on the application;

- The developments Surface Water Drainage system to be constructed as per submitted Drainage plan any alterations to this design will need to be approved by LLFA prior to construction.
- Details of the appointed Suds management company to be provided to LLFA upon completion of development.

2.17 Biodiversity Officer and Landscape Architect

2.18 The application site comprises of 2.7ha of paddock land located immediately south of the A191 between Tyneview Park and Whitley Park sports facilities. The DEFRA Animal Health Laboratories agency is located on adjacent land immediately to the west, with the Whitley Park Football Association lying beyond the (DWP) access road to the east. A rectangular compartment of land utilised as car parking associated with Tyneview Park DWP borders the site along its southern perimeter. Access to the site is currently from a junction on Whitley Road (A191) via Marquis Close.

2.19 The landscape structure of the area is made up of compartments of open semi-improved grassland with a small number of solitary and groupings of trees, many of which are protected by a TPO. The southern boundary supports a mature tree planting boundary. The surrounding and intervening spaces around the proposed application site area made up of residential development, office and recreational facilities. The adjacent field compartments and developed areas incorporate a network of avenue tree planting/groupings and mature hedgerows between their respective boundaries and associated scrub habitats. The collective landscape surrounding the development site has a well established structure in relation to its various land uses, which also support the PROW path network of the immediate area.

2.20 The site is located between two wildlife corridors to the east and west of the site. The new adopted Local Plan does not show the land as being allocated for development, but the principle of development is already established based on previous applications.

2.21 In June 2012, Planning permission was granted on part of the application site for the erection of 51no. dwellings (ref. 11/00761/OUT). In August 2018 an Outline Planning Application was submitted to deliver a development of up to 68 dwellings (Ref: 18/01221/ OUT). This application is yet to be determined. This application is for a development of 74 dwellings with associated access, parking, landscaping and infrastructure.

2.22 In response to representations received by the Council, a slightly amended layout has been submitted which relocates the Talbot apartment block to the north of the development site further to the east to increase the distance with 11 Whitley Road and to reduce the impact on the adjacent Conversation Area (Site Layout Plan Rev T). This results in improvements to the landscaping buffer to the north and a less prominent building when viewed from Whitley Road and the Conservation Area opposite. A revised turning head adjacent to the apartments has also been included. The landscape plans, engineering appraisals and site plans have all been updated to reflect this change in the site layout. Also the Arboricultural Impact Assessment and Biodiversity Net Gain Assessment have been updated to take into account this recent alteration.

2.23 To support the design change the following amended drawings have been submitted:

- Landscape Masterplan c-1829-01 G
- Detailed Landscape Proposals Phase 1 of 3 c-1829-02 A
- Detailed Landscape Proposals Phase 2 of 3 c-1829-03 A
- Detailed Landscape Proposals Phase 3 of 3 c-1829-04 A
- Proposed Site Layout P20-0480-101 T

2.24 Tree Survey Information

2.25 A Pre-Development Tree survey, AIA, AMS and Tree Protection plan by Elliot Consultancy Ltd (revised June 2021) has been submitted and the trees within the site have been assessed according to BS 5837:2012 'Trees in relation to construction – Recommendations'.

2.26 The impact of the development on trees and existing landscape features are:

- Loss of trees due to the construction of the new roads, dwellings, and infrastructure, some protected by a TPO.
- Damage to trees during the construction process including the widening of the eastern access turning circle.
- Damage to trees during installation of utilities
- Damage to trees following construction due to landscaping.
- Loss of semi-improved grassland, trees, scrub and hedgerow habitats
- Loss of bird nesting and foraging opportunities through site clearance works.

2.27 There are 4no trees within the application site and included in the tree survey that are protected by a TPO. All these trees are shown for removal. However, the landscape proposals can compensate for this loss of tree cover with replacement trees – including a line of extra-heavy standard trees along the eastern boundary.

2.28 The report includes details of the design proposals and their impact on the current tree population, a method statement that details all measures recommended for tree protection including any special construction measures to be utilised and within the Arboricultural Tasks Sequence Table (Appendix 1), is a timescale for implementation of these tree works and protective measures in reference to the development period.

2.29 A number of trees within Group 3 will require removal to allow widening of the current roundabout. The majority of the trees at this location are young to semi mature native trees part of a larger tree group whose purpose is for screening. The trees are all small and planted at approximately 2m spacings. The removal of trees within 8m of the proposed roundabout edge is required to allow the banking to be regraded post construction. The AIA confirms that this will not significantly impact on the overall value or function of Group 3 as screening to the north, and screening to the east is still provided by trees within Group 2. Post-construction replanting of the newly graded bankside is to be undertaken that will compensate for this impact. To alleviate concerns, a cross section at this location has been submitted.

2.30 The scheme will require a small amount of hedgerow to be removed to allow a drainage connection from within the site to enter an existing drain to the east. It is not expected that this will require any significant tree removal but will necessitate the removal of two sections of hedge to allow access (within Hedgerow 1 & Group 1). The hedge loss will be minimal and angled to limit visibility and is not considered a significant arboricultural impact. The AIA highlights that no new utility runs should be located within any of the retained trees RPA's. Any works to create new utility runs or to existing utilities must be undertaken with regard for the retained tree cover and be in accordance with NJUG (National Joint Utility Groups) guidelines. Details of this to ensure impacts on retained vegetation can be covered by a condition.

2.31 Landscape scheme

2.32 An earlier landscape scheme was submitted that raised a number of concerns in relation to landscape amenity and biodiversity with particular regard to the level of landscape planting being offered, the loss of open space due to housing density, and biodiversity net gain. The Landscape Masterplan has been updated (DWG: c-1829-01 Revision G) with improvements to landscaping, particularly around the site boundaries. The hedgerows along the frontages will reduce the visual impact of the development, visitor car parking and fence lines. In addition, the relocation of the Talbot block to the north of the development will allow additional space for the planting of extra heavy standard trees to the entrance with Whitley Road and alongside the existing access road. This will create strong visual features and support the Design Officer comments that the frontage to Whitley Road should link with the setting and views from Benton conservation area. New areas of shrub planting will help reduce the visual impact of the Talbot block and although car parking will be up against the boundary to the west, the boundaries are still reinforced by new hedgerow planting. Unfortunately, all the protected trees on the site (TPO) are to be lost, but due to their size they can be replaced and the planting of number of extra heavy trees within the site will mitigate for this loss.

2.33 Ecological Appraisal & Biodiversity Net Gain (BNG)

2.34 The ecological appraisal undertaken for the site states that the dense scrub, hedgerows, woodland strip and scattered trees within the site provide foraging and nesting opportunities for birds and foraging and commuting habitat for bats. This is in line with previous ecological findings submitted for the outline application (18/01221/OUT) which found a number of bird breeding within the site including starling and dunnock which are both UK Priority Species.

2.35 A biodiversity net gain assessment was undertaken (at the request of the LPA) which demonstrated that the scheme would result in a biodiversity net loss post development (after habitat creation on site had been calculated). This net loss was addressed through off-site compensation on arable land located to the north west of the borough at Wideopen, approximately 5km away from the development site. Concerns were raised about this assessment and the efforts to provide the required mitigation on-site in accordance with Local Plan Policy DM5.5, NPPF, and the 'Biodiversity Net Gain Good Practice Principles' (CIEEM)

2.36 Policy DM5.5 of the North Tyneside Local Plan states the following:

“for all adverse impacts of the development, appropriate on-site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals”

2.37 The Biodiversity Net Gain Good Practice Principles (CIEEM) sets out a number of good practice principles that should be followed to achieve net gain and the first of these is to apply the mitigation hierarchy. This consists of first avoiding and then minimising impacts on biodiversity and states that “only as a last resort, and in agreement with external decision-makers where possible, compensate for losses that cannot be avoided. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere”. Another principle within the document advocates achieving net gain locally to the development.

2.38 Additional concerns were raised in relation to the lack of public open space within the site (which consisted of a grassed SuDs basin and a small area of wildflower grassland) and it was advised that the scheme would be more acceptable if design objectives were incorporated into the proposals that increased good quality landscaping and buffers around the boundaries, provided more useable open space and delivered net gain without the need to go off-site.

2.39 In response to comments provided on 14.4.21, the applicant updated the Landscape Masterplan to provide additional landscaping within the site and amended the Biodiversity Net gain Assessment in accordance with these changes (OS Ecology BNG Assessment Report May 2021). The updated Landscape Masterplan included a small increase in species rich grassland, woodland and scrub planting which included the following:

- Additional areas of species rich grassland along the eastern and northern boundary
- Increased native hedgerows throughout the site
- Tree planting on the re-graded embankment next to the turning circle
- Increased native scrub/shrub planting along the western boundary and the SuDs area
- Changes to grassland type (amenity grass) to the western area of public open space

2.40 These amendments were taken into consideration within the BNG assessment resulting in a net loss of habitat of -24.82% (previously -29.24%) and a net gain in hedgerow habitat of 73.49% (previously 19.76%). The assessment also stated that habitat creation proposed within the site would be managed to achieve a ‘moderate’ target condition.

2.41 As a result of updated Landscape Plans ((DWG: c-1829-01 Revision G) submitted June 2021, a revised Biodiversity Net gain Assessment (BNG) has also been submitted to take into account proposed landscape changes. The assessment now shows a net loss in habitat of -24.78% and a net gain in hedgerow habitat of 79.69%

2.42 The BNG report concludes that as there remains a net loss of habitat resulting from the scheme, off-site compensation will be required and is proposed

on an area of land at East Wideopen, within the ownership of Bellway Homes (central grid reference NZ 25026 72366). This land currently supports improved grassland and the intention is to provide 0.14ha of mixed native scrub and 0.05ha of broadleaved woodland with a target condition of 'good'

2.43 Overall, with the current on-site landscape mitigation and off-site compensation at Wideopen, the scheme will be expected to achieve a habitat net gain of 1.33% and a net gain in hedgerow habitat of 79.69%.

2.44 Conclusion

2.45 It is unfortunate that the scheme does not provide more meaningful areas of useable open space. However, on balance, the landscape scheme presented is much improved, promoting landscape character, a sense of place and reducing the visual impact of the development whilst increasing biodiversity mitigation on-site. The Biodiversity Net Gain assessment reflects this, with an increase in the delivery of biodiversity units within the site. However, there remains a net loss as a result of the scheme which will be addressed through the delivery of off-site compensation on land owned by Bellway at Wideopen.

2.46 Overall, the scheme provides more meaningful landscaping and habitat creation and meets the requirements of biodiversity net gain. Should the development be supported, the following conditions are to be applied:

2.47 Conditions

Prior to commencement of works starting on site, the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations shown and detailed in the Tree Protection Plan submitted by Elliott Consultancy Ltd unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority. Photographic evidence of the fence in place is to be submitted.

All works to be carried out in accordance with the submitted Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan submitted by Elliott Consultancy Ltd and within the guidelines contained within BS5837:2012 and NJUG Volume 4. The AMS is to form part of the contractors method statement regarding the proposed construction works.

All works relating to the installation of services to the eastern boundary and within the RPA of the retained trees are to be installed in accordance with the AMS. Details of the extent of tree and hedgerow removal and any replacement planting is to be submitted for approval.

A Great Crested Newt Method Statement will be submitted to the Local Authority for approval prior to works commencing on site and all works will be undertaken in accordance with the approved plan.

10no. bat boxes will be provided on buildings and trees within the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

10no. bird boxes will be provided on buildings and trees within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. The lighting scheme shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

No vegetation removal or works to features (buildings) that could support nesting birds will take place during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing

An updated badger checking survey will be undertaken prior to works commencing on site with written confirmation submitted to the LPA for approval.

Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Hedgehog gaps (13cmx13cm) will be provided within any new fencing within the scheme. Details of hedgehog gaps and their locations to be submitted to the LPA for approval within 4 weeks of works commencing on site.

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

Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan for on-site and off-site landscape mitigation/compensation shall be submitted to and approved in writing by the Local Planning Authority and shall be in accordance with the Biodiversity Net Gain Assessment report (OS Ecology May 2021). The landscape scheme shall include a full specification for all new tree, shrub, hedgerow and wildflower planting and maintenance. The landscaping scheme shall be implemented in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard (4428: 1989). On site landscaping is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Landscaping of the approved off-site compensation land is to be implemented upon commencement of development within the first available planting season by an approved contractor. Any trees, shrubs or wildflower areas that fail or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Prior to the commencement of any development, a detailed 30 year 'Management, Maintenance and Monitoring Plan' for all landscaping/habitat creation within the application site and the approved off-site compensation land, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed and paved areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The Plan will include the following:-

Details on the creation and management of all target habitats identified within the Net Gain Assessment Report (OS Ecology June 2021) and approved landscape plans for on-site and off-site mitigation/compensation.

Survey and monitoring details for all target habitats identified within the Net Gain Assessment Report (OS Ecology June 2021). Monitoring Reports will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report to ensure the habitats are reaching the specified target condition. Any changes to habitat management as part of this review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report.

2.48 Manager for Environmental Health (Contaminated Land Officer)

2.49 I agree that the extent of the CS2 ground gas protection measures will extend to the entire southern area and that the northern area can be classified as CS1/green. No ground gas protection measures are therefore required in this area.

2.50 A nonstandard planning condition requiring the submission of a Materials Management Plan is required to ensure the safe and legislatively compliant reuse of the soils on the site.

2.51 A remediation statement is required stating exactly what is proposed. A verification report will be required.

2.52 I am not willing to alter condition 006, however if they wish to discharge by plot numbers we could go down that route. For condition 007 again I am not willing to alter this condition to give 48 hrs notice, however I agree to the works ceasing in the affected area and not the whole site.

2.53 The following conditions must be applied:

Con 005

Con 006

Con 007

Gas 006

A non-standard planning condition requiring the submission of a Materials Management Plan by a Qualified Person is required to ensure the safe and legislatively compliant reuse of the soils on the site. This is to be agreed in writing by the LPA.

2.54 Manager for Environmental Health (Pollution)

2.55 I have viewed the additional noise assessment that has included for a overheating assessment. I note that the report concludes that the residential apartments at

Talbot House and Moore House will require a mechanical ventilation cooling system as there will be increased risk of overheating, however I disagree that the remaining plots within the development will suffice with partially open windows which will provide sufficient insulation against outdoor noise for the duration for which open windows to maintain thermal comfort. The noise report refers to the plots to the eastern boundary are at medium risk of overheating. These properties will be exposed to high levels of noise from the use of the sports pitches. This will include for loud voice from shouting and impact noise from the sports activities. The noise from the sports being played on the pitches is not the same as road traffic noise which is considered anonymous in nature as it will be intermittent in frequency and will result in being more intrusive to residents. The scope of the AVO guide is intended for the consideration of new residential development that will be exposed predominantly to airborne noise from transportation sources. The properties to the eastern boundary of this development site will principally be exposed to intermittent and intrusive noise

from the use of the sports pitches and not principally road transport noise. I therefore disagree in the determination that the properties to the eastern boundary do not require mechanical ventilation. The internal noise levels specified in BS8233 are not achievable, with window open, due to the external noise environment and if residents choose to have open windows they will be subject which is not considered anonymous in nature, then this could result in noise giving rise to a nuisance and if considered in relation to statutory nuisance legislation under the Environmental Protection Act 1990 could result in restrictions being placed upon the operators of the sports pitches. Planning Practice Guidance on Noise acknowledges that noise can constitute a statutory nuisance under the provisions of the Environmental Protection Act 1990. The aim of planning policy guidance under Section 182 is that new development should integrate with existing businesses to ensure they do not have unreasonable restrictions put on them". The Planning Practice Guidance on noise recognises that mitigation can be provided to address noise, this can be in the form of engineered options at source to remove the noise and consideration of the layout of the buildings to provide screening of the noise.

2.56 The latest noise assessment suggests that for those properties located on the eastern boundary will suffice with open windows for ventilation but this may not be satisfactory for controlling the thermal comfort within the habitable rooms. I would therefore disagree to the removal of the need to ensure mechanical ventilation is provided for those properties towards the eastern boundary.

2.57 With regards to the boundary treatments condition, I note that 1.8m high close boarded fencing with overlapped panels will be provided and I would therefore advise that a compliance condition for the acoustic screening is attached in accordance with the layout diagram is provided and thereafter retained.

2.58 In respect of the balconies I note that the Talbot apartment building will be provided with 1.2m high glass screens to mitigate road traffic noise and a compliance condition to ensure the screening in accordance with the diagram is provided and thereafter retained.

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

Prior to occupation submit and implement on approval of the local Planning Authority a noise scheme providing details of the window glazing to be provided to habitable rooms for plots located to the north and eastern boundary of the site as outlined in noise report reference LAE1066.1, to ensure bedrooms meet the good internal standard of 30 dB LAeq at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 30dB LAeq as described in BS8233:2014 and the World Health Organisation community noise guidelines.

Prior to occupation of the development submit full details of the ventilation scheme in accordance with noise report reference 8508.1 for approval in writing by the Local Planning Authority and thereafter implemented. For habitable properties located to the eastern boundary facing towards the sports pitches

where the internal noise levels specified in BS8233 are not achievable, with window open, an alternative mechanical ventilation must be provided, such as mechanical heat recovery (MVHR) system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. Full details of the alternative mechanical ventilation system must be submitted for approval in writing. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

1.8m height acoustic fencing, consisting of overlapped fencing panels, to be installed in accordance with the boundary treatments layout drawing reference P20-0480 Drawing No. 102 E and thereafter retained to protect gardens against traffic related noise and noise arising from use of the sports pitches.

A 1.2m high acoustic screen must be installed to all balconies facing Whitley Road and the Blue Flame Sports Club to the eastern boundary of the site. The acoustic screen shall be maintained thereafter.

HOU04

SIT03

2.60 Design Officer

2.61 Following comments made about the design and layout, further amended plans have been submitted. The revised layout shows Talbot House apartment block set further back from Whitley Road. This revised layout provides further space for additional landscaping to the north west of the building although it has reduced the area available for landscaping to the east of the building which is now a grass verge. This is disappointing as it is the east of the building which is most visible from Benton conservation area.

2.62 As the site slopes southwards, the repositioning of Talbot House results in the finished floor level being reduced by approximately half a metre. This reduction in height will assist in the scheme providing a better relationship to the conservation area when compared to the superseded plans. However, there is still a concern about a lack of landscaping in some areas which will result in this 3-storey building being prominent in views from the conservation area. This concern is referred to the case officer.

2.63 Officer note: The applicant has addressed some of the design comments previously raised. These include corner units, adding further detailing to the house types and continuing the native hedgerow along the northern boundary. Concerns regarding surface materials could be addressed via an appropriately worded condition.

2.64 Public Rights of Way (PRoW) Officer

2.65 There is a PRoW improved as part of the Billy Pit site and local sport centre (to the east). Connections are required at north and south end to/from new site. This will promote direct access to a green corridor alongside NUFC and beyond. This will deter car use.

2.66 North end of Marquis Close has a link road. There are two DP's – can these be split to create ped/cycle access between two? Same for south end. If peds need to head to Four Lane Ends there must be a link path or other heading west

onto and along Marquis Close. This also improves matters for existing residents to head east through the site e.g. to Benton Metro.

2.67 There needs to be links from south east corner to Billy's Pit. There is a proposed turning head at this point. A link cycle/ped only connection would be ideal. This would support trips from south through the site, turn west and onto Marquis Close away from heavy traffic on Whitley Road.

3.0 Representations

3.1 16 objections have been received. These objections are set out below:

- Traffic congestion.
- Inadequate drainage
- Inappropriate design
- Inappropriate materials
- None compliance with approved policy
- Out of keeping with surroundings
- Precedent will be set
- Loss of privacy
- Adverse effect on wildlife
- Affect character of conservation area
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- This is a re-hashed application that was subject to a public inquiry in the two decades ago because of its controversial location however the road system and the volume of housing since changed dramatically since then.
- The location drawing of my property's borders are incorrect and misrepresented. We bought the land and boundary wall that directly adjoins the land at the 'Talbot Apartments' position some 3-4 years ago. Please inform the applicants to amend the drawings to give a true and legal reflection on the position of the Talbot multi story apartment block in relation to the proximity to our property and borders.
- In the current layout (which was changed recently to this new lay-out) the apartments are now within a metre of our boundary. I would suggest that having a three-storey building this close will block light out for half the day and lead to a major violation of privacy with balconies and windows overlooking our house and garden. Our garden is split level and a large portion is lower than ground level which, in essence is the equivalent of having a four-storey building built directly next to you. Any sort of screening in the development plan is impossible because of the height of the apartment blocks. As there are no other residential properties (only the Old County Police House) adjoining the site and given its size, I don't think it unreasonable to ask for Talbot House to be relocated elsewhere on the development
- Noise. Having 3 floor apartments alongside my property and 20 parking bays nearby will create excessive and unreasonable noise.
- Flooding. As our land is a couple of metres lower than the ground level on the development site there is the potential and real risk of flooding as the natural water run-offs will be taken away and naturally find their way into our land.
- Bats and Birds. The protected trees next to our property (south side) are a haven for bats and birds and would be disturbed by the presence of construction works and occupation of apartments nearby. The 3 TPO trees are only a matter of metres away from the apartments and multiple car park spaces.

-Whilst there are examples of apartments built in the area, they are not built directly next to or on an historic site. The Old County Police House is represented on old WW2 maps and is an historic house. The main site was RAF Longbenton and used for storing barrage balloons that protected the shipyards during the war. In fact, the proposed site was bombed with resulted in casualties. Building apartments on a historic site such as RAF Longbenton is inappropriate and disrespectful. I would suggest that this site should be not be in the same planning criteria as other apartment buildings.

-The egress from the development adjoining Whitley Road to travel west 'slingshots' traffic out at speed past my property. The road isn't so much a junction as more a slip road. The vehicles try to beat changing traffic lights and often accelerate rapidly exceeding speed limits. My drive accesses are too close to the junction for safe access and egress. I am currently collecting data and speed recording to hopefully present to the planning meeting if I'm allowed.

-Whitley Road west bound has been changed to two lanes in the last couple of years. We have notice that the traffic flow speed and noise is unbearable due to the increase in housing along Whitley Road.

-Yet another housing development is unacceptable and unsustainable on the road system here.

-Suggesting construction traffic access, the development via Marquis Close, a road of limited quality and width for heavy traffic, is ridiculous and a health and safety issue, especially when the Tyne View park road is of a modern and robust construction.

-The original layout showed proposed amenity land alongside our land but recently the layout has been changed to show a three storey apartment block (Talbot) and with a metre of our boundary and we feel this is unacceptable on a light and privacy level. You will see from the drawing attached how close the apartment block is to our border. We would request a meeting with Bellway, Homes England and yourselves to see if the layout can be changed back to amenity land or standard height housing.

-Another aspect is the ground levels. Our land is 2 metres+ lower in level than the development site. We feel this will result in flooding as the water will run into our land due to this difference in level. Plus, a three storey apartment block will tower over us as the equivalent of a four storey building due to our lower level aspect.

-I request that the developers immediately change all documents showing our property to reflect the true border of our property (cross hatched in yellow) instead of an old outdated inaccurate one. See attached drawings.

-If the Talbot block goes ahead, we are concerned that the apartment foundations being only a metre away from our boundary wall and the 2 metre drop on our land, we will get structural problems with our wall and it's foundation.

-The Old County Police House directly adjoins the development site. We are the owners and object to the development. Having lived in the property for nearly thirty years we have seen the traffic dramatically increase from the average main road flow to near breaking point. It has recently been increased into a two-lane flow westbound which has resulted in the 30mph speed limit being regularly exceeded as drivers treat the road as a dual carriageway. The proposed access is shared by Tyneview Park and turning westbound is a slip road onto Whitley Road which allows egress at extreme accelerating speed. This endangers and compromises safe egress from our drive. The extra traffic generated from the

development will add to the congestion at peak times and also the fast flow from the access road.

-The northern part of the development has a layout for apartments and will overlook our property because of the height, reducing privacy. We would suggest changing this to elsewhere on the layout where this would not be an issue.

-Originally the public inquiry allowed for planning to be applied for and was granted but the actual area of land is different now and therefore needs another public inquiry taking the changes in land area, housing targets being already met by recent nearby developments in North Tyneside and increased traffic since the last planning applications

-On further inspection of the submitted proposals I note that the design has been changed to two apartment blocks now and also situated nearer Whitley Road.

Can I point out that this layout is based on out of date layout drawings showing the wrong borders adjoining the development site. We bought additional land from DEFRA some years ago to extend our property which is not shown on the layout drawings submitted. Our property directly adjoins the development site. In effect, the corner of proposed Talbot House apartment block directly overlooks our property and will be a huge privacy issue. We would ask to review this layout so that the apartment blocks can be located elsewhere on the site. Everywhere else on the site is not overlooking existing housing.

-Our House is a historic property being The County Police House shown on old maps and was part of RAF Longbenton which operated and stored Barrage balloons in WW2. It is not appropriate or fitting for the house and property to have apartments immediately alongside. If this layout goes ahead for planning without the correct layout, we presume this would be against planning law and take further action.

-The consultation exercise says it all, the majority of people are not in favour of this. The problems are at the very least another 74 cars, probably double that, trying to join the already desperate traffic situation. I do feel the consultation and this process a waste of time as they will be given planning permission anyway. The development is unnecessary for the area and compromises on quality, safety and the local environment.

-The plans for the 74 dwellings suggest massive overdevelopment of the plot. Applications have been ongoing for this land since 2004 with no positive outcome in that time and during which the number of proposed dwellings has almost doubled in that time.

-I fully agree with the comments raised by Steven Lyttle, North Tyneside Planning Officer, on 31st Dec 2020, that the scale and mass of the development is particularly excessive. I am concerned about the volume of houses and the dominance of the flats at the north side of the development. The plans as they stand do not respond to the conservation area and will reflect poorly on the overall development.

-74 dwellings with vehicles will have a significant impact on traffic congestion at the junction of Whitley Road and surrounding area. Traffic is already at capacity to manage the demand of existing movement of local residents, workers and service vehicles. The local area draws employees and high volumes of traffic from across the North East for the Department of Works and Pensions at Tyneview Park, Freeman Hospital and the HM Revenue and Customs in Longbenton. Tyne View Park access road is regularly used from early morning until late at night, 7 days a week. At peak times the traffic is frequently backed up from this junction to Forest Hall 0.8 km and to Four Lane Ends 0.5km. There are

at least 3 blind spots for motorists and pedestrians at the junction resulting in regular near misses and incidents every day. With the introduction of the 2 lanes running east to west vehicles are often travelling above the speed limit increasing the severity of harm.

-The local strategy for North Tyneside Council has continued to support the building of local housing and has already met their original target of around 4000 new homes in North Tyneside by 2021. The immediate area alone has delivered this with new homes at Whitfield Green, Benton Farm Mews, St Bartholomew Court, Rutherford Manor, Holystone Park and Killingworth Moor. The Lichfields report page 2 The Applicant includes a clear typing error declaring, 'delivery of housing where it is delivered most'. Housing has already been delivered to this area and 'over delivery' is in no-ones interest and will always compromise on quality, safety or environment.

-I couldn't find a map on the planning application summary website to show where 74 dwellings would be fitted in to the outline of land that was shown. I am not against new properties being built, we all need somewhere to live, but I feel that this number is excessive. In addition, I would hope that these properties will be built without a gas supply, even though buildings reg's have not stipulated this yet. This is for two reasons - firstly, environmental reasons; we should all be moving away from using fossil fuels for heating our homes and North Tyneside and the Port of Tyne has positioned itself as a champion of renewable energy generation, so should we not be making sure that we promote this with our infrastructure projects? Secondly, the Northern Gas Networks are constantly digging up the road or creating roadworks around the junction of Station Road, Whitley Road and Tyneview Park for one reason or another. This is right outside my kitchen, living room and bathroom windows, and always creates enormous amounts of noise, dust and other pollution, as well as traffic congestion. So, if this disruption could be avoided I'm sure many local residents and commuters would be very grateful.

-The site is adjacent to a Conservation Area (not referred to in the application), but the proposed scheme does not respect the character of the Conservation Area and would impact on the character of the Area and also affect the outlook from the Conservation Area.

-The land is not designated for housing use and there are other better uses for the land.

- I believe it is over-development of the site.

- I am not convinced that these additional 74 dwellings are needed here,

- Additional dwellings of this scale would add to an already congested and overloaded traffic system, and thus to additional pollution and to further rat-running in side streets around the area.

- The public involvement exercise showed a clear majority against this proposal, as had the public engagement exercise for the Outline planning application.

-It is incomprehensible that the fact that the site is opposite a Conservation Area is not mentioned in either the Design & Access Statement or the Planning and Affordable Housing Statement. As set out in more detail below, this proposal does not enhance or complement the character of houses in the Conservation Area.

-This site has been bounded by open space for a long time, a fact that is not insignificant for the character of the Conservation Area. The site is not designated for housing and I would argue that, at the very least, the open land should be retained in the part of the site that looks out onto Front Street.

-A better use of the land would be for overflow parking for Tyne View Park office workers. Residents in the area on the other side of Whitley Road have had to persuade the Council to put in a Residents' Parking Scheme as a result of an increase in numbers of DWP / HRMC staff driving to work at Tyne View Park. Using part of the land for overflow parking would ease matters for both local residents and civil servants.

-The development of two 3-storey blocks consisting of 29 apartments would make the site appear overcrowded, and would produce a wall-like character to the northern edge of the site, which is neither appropriate to the site, nor to the Conservation Area opposite.

Many of those who attended the original public engagement exercise for the outline planning application expressed a strong opinion that the proposal would add to the existing traffic congestion, and this is reflected in the more recent public engagement survey. The scale of house-building further east along Whitley Road and beside Station Road (Wallsend rather than Benton) is expected to further add to the congestion. This proposal would compound the problem for current residents trying to get out onto Front Street to go into town, or into Forest Hall and beyond via Station Road.

The statement on public involvement shows that there was a very low level of support for this proposal on all the following headings: 73% of respondents disagreed or disagreed strongly that this provides a sustainable location for new homes, with good transport links and access to local services. 50% disagreed or strongly disagreed that brownfield sites in Benton should be redeveloped. 79% disagreed or strongly disagreed that the proposed layout would improve the appearance and character of the area. 85% disagreed or strongly disagreed that the proposed development was an appropriate scale for the area. 87% did not support the development proposals

-The report also notes the concerns about impact of the additional traffic on the local highway networks and added strain on local services.

Further comments using relevant headings from the Design Council's Building for Life Assessment and the Building for Life Assessment referred to in the Outline planning application (18/01221/OUT). 1. Connections: The development does not respect buildings to the North of the site, since it closes the open aspect which residents of houses at the corner of Whitley Road and Station Road / Tynedale Terrace currently enjoy. 2. Facilities and services and 3. Public Transport: Neither transport links nor shopping facilities are as good as the Design and Access statement alleges, which means that residents will be tempted to use cars and thereby increase traffic along Whitley Road and Station Road. Other than the No 1 bus, the few buses which travel along Front Street / Whitley Road run almost exclusively at rush hour on weekdays, in order to take staff into and out of Tyneview Park (DWP). Other than a very small corner shop at the Benton Metro station, the nearest shops are at Four Lane Ends. Cycling facilities are not particularly good, as there is no separate cycle lane along Whitley Road / Front Street, and cyclists therefore have to compete with cars for space on the road. At rush hour, this can be quite difficult, and as a cyclist, I do not always feel particularly safe on this road. 4. Meeting local housing needs: The Building for Life assessment for the Outline planning application suggests that the development would consist of "68 new dwellings with a mix of affordable and private sale homes" whilst earlier stating that the development would consist of "affordable homes for rent and sale, and homes for rent or sale at market prices". These are contradictory statements and suggest that there is no fixed view about

what is actually needed in the area. Indeed, the planning application does not demonstrate that there is housing need in the area, and I would argue that there is little need for additional dwellings for sale here, though there may be a net need for affordable housing for rent. The Gentoo development further along Front Street has been slow to sell, and there is already a large development on site a little way east along Whitley Road, as well as a large development being built at Station Road (Wallsend). 5: Character - The nearest houses to the proposed development are those on Tynedale Terrace and Station Road, all located in a Conservation Area. Other than the corner of Tynedale Terrace and Station Road, houses on these streets have 2 or 3 storeys, and, as the Conservation Area Character Appraisal notes, "plenty of fine detailing in brick, stone, terracotta, tile, timber and glass"..... "Many of the buildings have been specifically designed with a flare for high quality architecture".

-The Conservation Area Character Appraisal notes that development in a way that "would not preserve or enhance the character and appearance, or setting [my emphasis] of a conservation area, will not be permitted." It could be argued that the setting of the Conservation Area includes its open aspects, and the construction of a block of flats immediately opposite the southern corner of the Conservation Area will spoil the setting of the Conservation Area. The two 3-storey blocks of flats as proposed are too close to the main road, which would diminish the character of the Conservation Area. The blocks built at the corner of Station Road opposite are set back rather further from the road, allowing much more greenery between the blocks and the roads from which the blocks are viewed, so that the impact of new buildings located within a Conservation Area is lessened. A final point is that the character of all the proposed buildings within this development does not appear to be in line with "high quality homes" referred to in the Design & Access Statement, but rather they are standard shapes, with standard finishes and designs. My sense is that the scheme will be no different to many, many others being constructed around the area, and will therefore significantly diminish the character of this lovely Conservation Area of which residents, and the Council, are so proud.

-The land in question is not brownfield, it has been an open space and for many years used by DEFRA as pasture land and is the last vestige of green in this part of Benton. The bland three storey apartment blocks disrespects the Conservation Area which it overlooks.

-Illegal parking affects many Benton residents as the car park for Tyne View Park was never big enough, and the Council have had to reinstate permits. Since the Councils very expensive changes supposedly to improve traffic flow on Whitley Road, speeding has been an issue for residents trying to get out of neighbouring streets and estates. Despite contacting the Highways Department and our local councillor several times to request permanent speed restriction signs to be installed, this has been refused.

This development will add even more traffic onto a three way junction which at peak times is often grid locked. Standing traffic at the Station Road junction will reduce air quality for the residents of the proposed flats which now on the revised plans appear to be even closer to Whitley Road.

-In the Design and Access Statement, the developer states that this development will enhance the area - how does building on a green open space do that.

-How can the Consultants and the Council seriously expect residents to respect planning decisions when despite an overwhelming negative response to this development has been received and is actually stated in the application - it

appears not to be taken into consideration. It begs the question, who actually runs North Tyneside Council? Elected Councillor's or nonelected consultant/partners?

3.2 Department for Working Pensions (DWP)

3.3 We have recently had the opportunity to review the 'Full-Consultation' document in response to planners challenges relating to access to public transport. The developer representative has advised at para 2.29 that;

"Tyneview Park is also a short walk to the south of the site."

3.4 I must draw to your attention that Tyneview Park is a secure site and will remain so for the foreseeable future. As such, public transport is not and will not be permitted to access the site. This has been discussed in the past and a solution proposed namely, that with Landlord/Site Owner consent (agreement in principle for which is already in place), a Highways adoptable roundabout could be introduced immediately to the north of the existing Tyneview Park Reception Building. This would require some land-take from the Tyneview Park site, however again I understand that agreement in principle is already in place with the Landlord/Site Owner on the basis that, it would be to the benefit of the greater good.

3.5 I respectfully request you make consideration of the above in regard to this application.

4.0 External Consultees

4.1 The Coal Authority

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

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

4.4 Nexus

4.5 Nexus comments are as follows:

- The dwellings would be located within 400 metres of a bus service, as recommended in the Nexus Planning Liaison Policy. Frequent daytime bus services are available; less so during evenings however this is mitigated by the opportunity to travel by Metro at these times.
- The development is within 800 metres of Benton Metro Station. This is in line with the recommendations of the Nexus Planning Liaison Policy.
- Both Metro and Bus services are subject to restrictions during the pandemic. The travel plan submitted with the application assumes that services will return to normal frequencies prior to any construction taking place – Nexus shares this assumption in respect of Metro services.

-As the development comprises in excess of 50 dwellings, Nexus requests that the provisions for financial support as set out in the Nexus Planning Liaison Policy apply to this application by way of condition, if appropriate. The relevant text is included below:

“For larger residential developments of 50 or more dwellings, Nexus will request via the local planning authority that the applicants meet the costs of two introductory tickets per dwelling to the equivalent of four week’s travel per ticket. These tickets should be offered to residents as part of the Welcome Pack with the onus on residents to apply for these through the necessary process. What form the tickets take and the process of providing it to residents can be agreed with Nexus as part of the discharge of conditions process. The reason for the change in the policy regarding the provision of introductory tickets is to simplify the process for developers, for Nexus and for residents. This is because what is considered the most appropriate ticket at the time the application is submitted may have been superseded or may no longer exist at the time various phases of a development are ready for occupation. At the time this policy was published, the tickets required are two Pop Pay As You Go cards per dwelling with J50 of credit preloaded onto each of them; these to be provided by the developer to new residents subject to residents applying for the cards. The process of applying for the cards must be promoted as part of the homebuyer’s welcome pack. This is to encourage a greater take-up of public transport from the outset”.

4.6 Newcastle International Airport Limited (NIAL)

4.7 No comments to make.

4.8 Northumbrian Water

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

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

4.11 Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

4.12 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled “Flood Risk Assessment and Drainage Strategy” 22nd February 2021. This document and the drainage design accords with our pre-planning enquiry advice regarding points of connection.

4.13 We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" revision 4 dated "February 2021". The drainage scheme shall ensure that foul flows discharge to the public sewer at manhole 0008 and ensure that surface water discharges to the watercourse.

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

4.14 It should be noted we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as Lead Local Flood Authority (LLFA), needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

4.15 For information only

4.16 We can inform you that a strategic water main crosses the northern boundary of the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. Further information is available at: <https://nwl.co.uk/services/developers>

4.17 Tyne and Wear Archaeology Officer

4.18 An archaeological desk based assessment was carried out for this site in 2008 (HER event 2991 report 2008/49). This concluded that that the site contains extensive deposits of made ground, having been levelled and subsequently built up with material derived from demolished Second World War structures, and that the potential for the survival of any intact archaeological deposits is low. No further archaeological work is required.