

Item No: 5.2
Application No: 18/01759/FUL Author: Aidan Dobinson Booth
Date valid: 19 December 2018 ☎: 0191 643 6333
Target: 20 March 2019 Ward: Valley
decision date:

Application type: full planning application

Location: Land North West of Brierdene Way, Backworth, NEWCASTLE UPON TYNE

Proposal: Change of use of land and construction of a 1,985 sqm Extra Care Home containing 28 apartments and communal living areas (C2 residential institution) and 4no specialist care bungalows (C3 residential) together with new access road, car parking, landscaping and other ancillary works (amended plans received 15.02.19)

Applicant: The Northumberland Estates, Mr Barry Spall Estates Office Alnwick Castle Alnwick NE66 1NQ

Agent: The Northumberland Estates, Mr Barry Spall Estates Office Alnwick Castle Alnwick NE66 1NQ

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1. Main Issues

1.1 The main issues for Members to consider are;

- Principle;
- Impact of the proposal on the character and appearance of the site and its surroundings;
- Whether the proposed housing would provide a sufficient residential living environment for future occupiers; and
- Whether there is sufficient car parking and access provided.

2. Description of the Site

2.1 The application site measures approximately 1.25 hectares in area. It is currently being used as a construction compound in association with new housing that is being built on land to the south. There is a new roundabout that has recently been built to the north of the site. To the east of the site are the existing two storey semi-detached dwellings, which are rendered. To the west of the site is B1317, which runs from north east to south west and rises above the A19 dual carriageway that is also situated to the south west of the site.

3. Description of the proposed development

3.1 The proposal seeks full planning permission for the change of use of land and construction of a 1,985 sq m Extra Care Home containing 28 apartments and communal living areas (C2 residential institution) and 4no specialist care bungalows (C3 residential) together with new access road, car parking, landscaping and other ancillary works.

4. Relevant Planning History

14/01687/OUT - Erection of around 290 dwellings (including affordable homes), 232sqm of commercial space, allotments, public open space, access to an existing highway, car parking, landscaping and associated works (Air Quality Report submitted 10.11.14) (Archaeological Evaluation Report submitted 12.11.14)

Permitted 30.03.2015.

16/01764/REM - Erection of 145 residential dwellings including 36 affordable dwellings; and creation of new access onto the B1317 and onto Killingworth Avenue. Discharge of conditions 1, 2, 7, 13, 15, 20, 24, 26 and 30 of outline planning permission 14/01687/OUT
Approved 15.03.2017

17/01163/FUL – Variation of condition 1 of application 16/01764/REM - revised garden room locations, revised elevation treatments, revised house type plot 53 from Azure Grand to Willow GR and revised house type to whole site Jasmine and Willow to replace Tuscan and Azure. Addition of a new sub-station adjacent to Plot 54. (Amended Description 04.09.17)
Permitted 13.02.2018

5. Development Plan

5.1 North Tyneside Local Plan 2017

6. Government Policy

6.1 National Planning Policy Framework (February 2019).

6.2 National Planning Policy Guidance (as Amended).

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the determination of this application. It requires local planning authorities 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 National Planning Policy Framework.

PLANNING OFFICERS REPORT

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

- Principle;

- Impact of the proposal on the character and appearance of the site and its surroundings;
- Whether the proposed housing would provide a sufficient residential living environment for future occupiers; and
- Whether there is sufficient car parking and access provided.

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

7.2 Background

7.3 Outline planning permission was granted in 2015 for this site to have some small scale commercial units and allotments as part of the wider residential development, with some small commercial space. However, the outline planning permission has only been part-implemented with only the reserve matters being approved for housing to the south.

7.4 Principle

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

7.6 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.

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

7.8 Paragraph 59 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.

7.9 Policy S1.2 of the Local Plan states that the wellbeing and health of communities will be maintained and improved by amongst other matters requiring development to create an age friendly, healthy and equitable living environment.

7.10 Policy DM1.3 states that 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.

7.12 Policy S1.4 states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development or areas specific policies of the Local Plan.

7.13 Policy DM4.8 supports proposals for specialist housing, including extra care and supported housing, where the development is amongst other matters

integrated into the local residential community. It also seeks to deliver and promote independent living.

7.14 The site comprises of specialist care bungalows for people with complex needs, such as autism, and a care home for people with dementia. The facility will provide homes for vulnerable people who require 24 hour care and will operate for 24 hours a day, 7 days a week.

7.15 The application site is allocated for residential development according to Policy S4.2(b) of the Local Plan, it would be integrated into the local residential community being close to more established and also newly built housing in accordance with policy DM4.8.

7.16 North Tyneside Council 5-year Housing Land Supply

7.17 Paragraph 67 of NPPF requires local planning authorities to identify and maintain a rolling 5-year supply of deliverable housing land. This must include an additional buffer of at least 5% in order to ensure choice and competition in the market for housing land.

7.18 The most up-to-date assessment of housing land supply is informed by the March 2018, 5-year Housing Land Supply Summary identifies the total potential 5-year housing land supply in the borough at 5,276 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a surplus against the Local Plan requirement (or 5.4 year supply of housing land). It is important to note that this assessment of five year land supply includes over 2,000 homes allocated within the Local Plan (2017).

7.19 The potential housing land supply from this proposal is not included in the assessment that North Tyneside has a 5.4 year supply and therefore this site represents a bonus. The site itself is included within the North Tyneside Council Strategic Housing Land Availability Assessment (SHLAA) (ref 110), however this is as part of the original 290 and not the additional 32 additional units as now proposed. Although the Council can demonstrate a five-year supply of deliverable housing sites, this figure is a minimum rather than a maximum. Further planning permission that add to the supply of housing can be granted, which add to the choice and range of housing.

7.20 Trees and Biodiversity

7.21 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

7.22 Paragraph 175 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

7.23 Policy DM5.5 of the Local Plan states that all development proposals should amongst other matters protect biodiversity and minimise the fragmentation of habitats and wildlife links.

7.24 Policy DM5.9 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.

7.25 The applicant has submitted an Ecological Assessment Report, which states that three non-statutory designated sites are present within a 1km radius of the site. The nearest of these is Backworth Woods Site of Local Conservation Interest (SLCI) located approximately 290m to the east of the site. These three sites are all separated from the application site by a substantial buffer area and in all cases this includes major roads and urban areas. Consequently the applicant's Ecologist considers that it will be very unlikely that direct impacts will occur during the construction phase.

7.26 Direct impacts during the occupation phase of the site are also considered to be minimal due to the nature of the development and the likely residents who are considered unlikely to undertake regular recreational activity outside of the care facility and its grounds.

7.27 The proposed development will impact on the area of scrub, located in the north-west corner of the site. However, this is not a priority habitat. Tall ruderal vegetation will also be lost within the western half of the development site.

7.28 What is described by the applicant's ecologist as 'a species-poor defunct hedgerow' will also be lost to accommodate the proposed development. Due to its isolation and its poor connection to hedgerow habitat in the surrounding areas as a result of new roads and residential development, it is considered to be a 'very poor example of this type of habitat.'

7.29 In order to mitigate the impact of the development upon birds, vegetation clearance works would be undertaken outside of the bird nesting period.

7.30 In addition to habitat creation, the applicant also proposed to provide bird and bat boxes to help reduce the impact of their proposal on bats and birds.

7.31 The Council's Landscape Architect has been consulted and states that the trees to the boundaries of the site along the A19 and the B1317 are to be retained. She goes on to state that the proposed Landscape Strategy provides a mix of ornamental planting with standard trees to the east of the site to define the site entrance and present a well maintained and attractive frontage to the adjacent residential area. A more informal character is proposed to the west, where a sensory garden and raised planting beds for residents are proposed. Hedge and shrub planting will be utilised as soft boundaries influencing circulation where possible. A range of tree sizes will be proposed for the site at key focal points and junctions. The inclusion of a range of tree species will enhance the ecological quality of site and subsequently provide interest for residents. The Council's Landscape Architect concludes by stating that the scheme is acceptable in principle subject to conditions.

7.32 The Council's Biodiversity Officer has been consulted and states that she has no objections subject to conditions.

7.33 It is officer advice that subject to conditions that the proposal would avoid having an adverse impact in terms of landscaping and ecology and therefore would accord with the advice in NPPF, Policy DM5.5 and policy DM5.9 of the Local Plan.

7.34 Contamination and Land Stability

7.35 NPPF states that 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.

7.36 Policy DM5.18 of the Local Plan states that where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which shows that investigations have been carried out and that detailed measures to allow the development to go ahead safely without adverse effect.

7.37 The applicant has submitted a Phase 1 Geo-environmental Desk Study, which concludes that there are no potential sources of significant contamination on site, or off site and no potential ground gas sources have been identified that could impact future dwellings or structures. This report concludes that the risks from contamination are low and therefore a wider Phase 2 ground investigation is not required.

7.38 The Council's Contaminated Land Officer has been consulted and does not object subject to conditions.

7.39 It is officer opinion that subject to conditions that the development can go ahead safely without adverse effect in accordance with the advice in NPPF and policy DM5.19 of the Local Plan.

7.40 Flooding

7.41 The National Planning Policy Framework states that 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.

7.42 Policy DM5.12 of the Local Plan states that all major development will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been undertaken to reduce overall floor risk from all sources, taking into account the impact of climate change over its lifetime.

7.43 Policy DM5.14 seeks a reduction in surface water runoff rates for all new development.

7.44 The Local Lead Flood Authority (LLFA) has been consulted and states that discussions have taken place with the applicant who has confirmed that they

intend to deal with surface water in their site through underground storage, which would limit the discharge rate to 10 litres per second and this will connect to the adjacent new development sustainable urban drainage system. The applicant has also confirmed that this drainage system has sufficient capacity to be able to take the additional water. The LLFA recommends conditional approval.

7.45 It is officer advice that that the proposed development would not have an adverse impact on flooding and would accord with the advice in NPPF and policies DM5.12 and DM5.14 of the Local Plan.

7.46 Character and appearance

7.47 NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

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

7.49 Policy DM6.1 of the Local Plan states that 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 of the characteristics of the site, its wider context and the surrounding area.

7.50 The Council has produced an SPD on Design Quality (May 2018), which seeks to encourage innovative design and layout and that contemporary and bespoke architecture is encouraged. The chosen design approach should respect and enhance the quality and character of the area and contribute towards creating local distinctiveness.

7.51 The proposal would provide 3 separate buildings. Unit A would be located towards the northern end of the site. It would provide two specialist care bungalows. There would be a central projecting gable feature that would be built from Light Yorkstone. The remainder of the building would have a blue/black tiled hipped roof. The walls would be rendered off-white. The windows would be grey upvc, but with Light Yorkstone heads and cills. Overall, the appearance would be traditional with a modern and contemporary influence.

7.52 Unit B would be the same, but sited to the west of Unit A.

7.53 Unit C would be a larger building. It would be mainly two-storey in height, with the eastern flank being part single storey. The surroundings are generally characterised by two storey dwellings. Unit C would include a staircase and lift providing access to the first floor. In terms of appearance, it would be similar in terms of style to Unit A and B. Light Yorkstone with decorative quoins would be used for projecting gables that would help visually break up the bulk and mass of

the building and reduce its horizontal emphasis. In addition, grey/green weatherboard would be used at the first floor level and at other parts of the building to help create further visual interest when seen against the off-white rendering at the ground floor level.

7.54 On the whole the buildings would create a cohesive and well-designed development that would be set within a landscaped setting. It would sit in well with the new housing to the south, which also includes rendered properties, but are traditional in style. It would also fit with the existing residential properties further to the east, which are all rendered. It would enhance rather than detract from the character and appearance of the site and its surroundings.

7.55 In conclusion, it is considered that the proposal would accord with the advice in NPPF and policy DM6.1 and the Design Quality SPD. Members need to consider whether they agree.

7.56 Impact upon neighbours

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

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

7.59 Policy DM6.1 states that proposal are expected to demonstrate a positive relationship to neighbouring buildings and spaces to amongst other matters ensure a good standard of amenity for existing and future residents.

7.60 The neighbours most likely to be directly affected by the proposal are those living in 92 Briardene Way, those properties yet to be built to the west of No. 92 and 24-36 that face the site from Killingworth Lane. For the occupiers of 92 Briardene Way, it is considered that the proposal would not have an adverse impact. This property faces north eastwards and does not directly face towards the new buildings. The turning area of the car park with bin store and cycle shelter would be approximately 4m to the west of the flank elevation of this dwelling. There would be a 1.8m high close boarded wooden fence between the application site and 92 Briardene Way and that this would ensure that the bin store and cycle shelter would not have an adverse impact.

7.61 For the two storey dwellings to the south west of 92 Briardene Way that have yet to be occupied, it is also considered that the proposal would not have an adverse impact. Unit C would be set approximately 21m away from the rear of these dwellings. Furthermore the majority of the south eastern flank of Unit C would be single storey and this would avoid any adverse impact. The southern most section of this side flank would be two storey and there would be two windows at first floor level. However, these windows would be to a landing of a staircase and a corridor and not a habitable room and therefore would avoid having any adverse impact upon the amenity of the neighbouring occupiers.

7.62 For the occupiers of 24-36 Killingworth Lane, it is also considered that the proposal would not have an adverse impact. The side flank wall of Unit 1 would face towards the existing housing. However, given this is to a bungalow, it would not have an adverse impact upon the amenity of existing residents.

7.63 Overall, Members need to consider whether the proposal would avoid having an adverse impact upon neighbours living conditions in accordance with the advice in NPPF and policies S1.4, DM5.19 and policy DM6.1 and weight this in their decision. It is officer advice that it would.

7.64 Whether the proposed housing would provide a sufficient residential living environment for future occupiers

7.65 Paragraph 180 of 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. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

7.66 Policy DM5.19 states that development that may be sensitive such as housing to potentially polluting sources, will not be sited in proximity to such sources.

7.67 Policy DM4.9 expects 50% of homes to meet building regulation M4(2) – 'Category 2 – accessible and adaptable dwellings. In addition, all new homes are expected to meet the Government's Nationally Described Space Standard (NDSS).

7.68 The Manager of Environmental Health has been consulted and states that she has concerns with regard to road traffic noise from the A19 and B1317 affecting the site and potential noise from the development, such as plant noise affecting the neighbouring new residential properties to the south of the site. She goes onto states that good acoustic design is required to mitigate against external road traffic noise for habitable rooms. The noise assessment outlines a mitigation scheme requiring double glazing, which would ensure that internal noise levels will achieve good habitable living conditions. The noise report also indicated that mechanical ventilation will be provided, which will enable adequate ventilation without the need to open windows. The Manager of Environmental Health does not object subject to conditions.

7.69 In terms of the Council's Housing Standards, the bungalow should be 90 sq m and they would measure approximately 350 sq m, which is well in excess of the minimum standard. All of the buildings would be designed to meet Part M of the building regulations. The proposal would comply with policy DM4.9.

7.70 The external amenity areas are large and will have extensive landscaping, also raised planters would be set out for the use of tenants. Pergolas, seating areas and a sensory garden are also proposed.

7.71 Members need to consider whether the proposal would provide an acceptable residential living environment for future occupiers in accordance with the advice in NPPF and policies DM5.19 and DM4.9 and weight this in their decision. It is officer advice that subject to conditions it would.

7.72 Whether there is sufficient car parking and access provided

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

7.74 All development that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so the likely impacts of the proposal can be fully assessed.

7.75 Paragraph 109 of NPPF states 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.

7.76 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

7.77 LDD12 Transport and Highways SPD sets out the Council's adopted parking standards.

7.78 The Highway Network Manager has been consulted and states that the site is accessed via the existing infrastructure in the housing development and an appropriate level of parking has been provided. He recommends conditional approval.

7.79 Members need to consider whether the proposal would provide sufficient parking and access and weight this in their decision. It is officer advice that subject to conditions it would, in accordance with the advice in NPPF, Policy DM7.4 and LDD12.

7.80 Other Matters

7.81 S106 Contributions

7.82 Paragraph 54 of NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

7.83 Paragraph 56 of NPPF states that planning obligations must only be sought where they meet all of the following tests;
Necessary to make the development acceptable in planning terms;
Directly related to the development; and
Fairly and reasonably related in scale and kind to the development.

7.84 Paragraph 64 of NPPF expects affordable housing to be provided unless the proposed development provides specialist accommodation for a group of people with specific needs such as purpose built accommodation for the elderly. The housing would provide specialist accommodation and therefore there is no requirement to provide affordable housing.

7.85 Policy DM7.2 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.

7.86 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.

7.87 As mentioned in the background section of the report, the original outline planning permission made provision for 11 allotment plots on site. However, with this application the allotments could no longer be satisfactory provided on-site and hence an alternative is needed. The applicant owns significant amounts of land in the surrounding area and the additional allotments could be provided on part of the Killingworth Moor Strategic Site. It is therefore considered necessary to enter into a S106 legal agreement to ensure that the allotments are provided on an alternative site within the vicinity of this site.

7.88 Local Financial Considerations

7.89 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).

7.90 The proposal would not contribute towards New Homes Bonus, as care homes are exempt from Council Tax. However, economically there would be a benefit in terms of the provision of construction jobs during the build and jobs associated with the care of the residents once the scheme is complete and occupied.

7.91 Conclusions

7.92 This proposal would provide a specialist care housing on a site allocated for residential use in the Local Plan. The provision of special care housing is a

benefit of the scheme and a material consideration of substantial weight. It would be integrated into the local residential community. It would be subject to conditions, provide a well designed residential living environment for future occupiers and would not have an adverse impact upon the character and appearance of the surrounding area, or on neighbouring properties. The proposal would avoid having an adverse impact on highway safety. Therefore subject to S106 legal agreement to secure the re-provision of allotments on a site in the vicinity, and conditions it is recommended that planning permission should be granted.

RECOMMENDATION: Minded to grant legal agreement req.

It is recommended that Members indicate that they are minded to grant this application subject to the conditions set out (or any subsequent amendments, omissions or additional conditions) and to grant plenary powers to the Head of Environment, Housing and Leisure to determine the application following the completion of a S106 Agreement to secure the following;

The provision of 11 allotment plots within the vicinity of the application site.

Conditions/Reasons

1. The development hereby permitted shall be carried out in complete accordance with the following approved plans and specifications:

- Application form dated 06.12.18.
- Location Plan Dwg. No. 2620A-100E
- Proposed Site Plan Dwg No. 2620A-101D
- Boundary Treatment Plan Dwg No. 2620A-103E
- Visuals Dwg No. 2620A-104A
- Unit A plans and elevations Dwg No. 2620A-UA-100B
- Unit A roof plan Dwg No. Dwg No. 2620A-UA-101A
- Unit B plans and elevations Dwg No. 2620A-UB-100B
- Unit B roof plan Dwg No. 2620A-UB-101A
- Unit C ground floor plan Dwg No. 2620A-UC-100B
- Unit C first floor plan Dwg No. 2620A-UC-101B
- Unit C elevations 2620A-UC-102B
- Unit C roof plan 2620A-UC-103A
- Proposed drainage plan 2620-514A
- Proposed levels plan 2620-518A
- Landscape strategy 1070-001C
- Planning, design and access statement, November 2018
- Arboricultural impact assessment (AIA) report, November 2018
- AIA tree protection plan
- AMS tree protection plan
- Arboricultural method statement report (AMS), November 2018
- Drainage Strategy, November 2018
- Ecological Assessment report, December 2018
- Noise Assessment, December 2018
- Heritage Assessment, November 2018

- Phase 1 geo-environmental desk study, December 2018
- Residential dwellings supplementary information.

Reason: To ensure that the development is carried out in accordance with the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. No part of the development shall be first occupied until the new means of access 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).

4. Exist Access Closure Misc Points By ACC01 *
7

5. No part of the development shall be first occupied until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. Turning Areas Before Occ ACC02 *refuse vehicles
5

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

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

8. None of the residential units hereby permitted shall be first occupied until a Travel Plan taking into account the new development has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met. Thereafter the Travel Plan shall be implemented in accordance with the approved details.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

9. Construction Method Statement - Minor SIT006 *

10. Prior to first occupation of any of the residential units hereby permitted, details shall be submitted to and approved in writing by the local planning authority a noise scheme for the acoustic glazing scheme in accordance to noise

report NT14029/0001/VO.1 to address the external road traffic noise arising from the A19 and B1317. Details of the acoustic glazing to be provided must be in accordance with BS8233 and the World Health Organisation community noise guidelines must be provided to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB LAmax for bedrooms during the night time (2300-0700 hours), and 35 dB LAeq for living rooms during the daytime (0700-2300 hours). Thereafter the development shall only be carried out in accordance with the approved details.

Reason: To ensure a satisfactory living environment for future occupiers in accordance with policy DM5.19 of the North Tyneside Local Plan (2017).

11. Prior to first occupation of any of the residential units hereby permitted details of the ventilation scheme for all habitable rooms, shall be submitted to and approved in writing to ensure an appropriate standard of ventilation, with windows closed, is provided. Where the internal noise levels specified in BS8233 are not achievable, with a window open, due to the external noise environment, we expect that an alternative mechanical ventilation, such as mechanical heat recovery (MVHR) system should be provided that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Thereafter the development shall only be carried out in accordance with the approved details.

Reason: To ensure a satisfactory living environment for future occupiers in accordance with policy DM5.19 of the North Tyneside Local Plan (2017).

12. Prior to first occupation of any of the residential units hereby permitted, a noise scheme in accordance to BS4142 must be submitted to and approved in writing by the local planning authority to ensure that the rating level for all plant and equipment installed at the Care home site does not exceed the current background noise during the daytime and night time. If the BS4142 assessment demonstrates that the rating noise level is more than LA90 -10dB during either the day or night time, acoustic testing is necessary within one month following installation of the plant and equipment and the testing report would need to be submitted for written approval to the local planning authority prior to the operation of the plant and thereafter it shall be maintained in working order.

Reason: To ensure a satisfactory living environment for future occupiers in accordance with policy DM5.19 of the North Tyneside Local Plan (2017).

13. Prior to the first occupation of any of the residential units hereby permitted, the boundary treatments as detailed on drawing no. 2620A-103 Rev E shall be implemented in accordance to the submitted details and thereafter retained.

Reason: To ensure a satisfactory living environment in accordance with policy DM5.19 of the North Tyneside Local Plan (2017).

- | | | |
|---|-------|---|
| 14. Restrict Hours No Construction Sun BH | HOU00 | * |
| | 4 | |
| 15. Dust suppression during construction | SIT03 | * |

16. Deliveries and collections to the care home site shall be restricted to between 07:00 and 23:00 hours.

Reason: In order to protect neighbours residential amenity in accordance with policy S1.4 of the North Tyneside Local Plan (2017).

17. Flood Lighting Scheme Details LIG001 *

18. Prior to the commencement of the approved development:-

a) A remediation statement should be submitted. This should provide details of exactly how the remediation works are to be carried out and a detailed site location plan of where material is to be deposited.

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

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

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

Reason: This needs to be pre-commencement condition to ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

19. No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall within the next planting season, i.e. October to March, be replaced by with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory retention of existing trees, shrubs and hedges and in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

20. 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 and Arboricultural Method Statement submitted by All About Trees 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.

Reason: This needs to be pre-commencement condition to ensure that important features are protected and retained in the interests of amenity and to ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

21. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works, detail of which are to be submitted for approval.

Reason: In order to safeguard existing trees and the amenity of the site and locality having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

22. Prior to any of the residential units being built above damp proof course, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth).

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

23. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a standard in accordance with the relevant recommendations of British Standard [4428:1989] including all planting, seeding or turfing. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

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

24. Surface Water Management (Minor) DRN00 *

25. 3no. Schwegler bird boxes and 3no. Schwegler 2F bat boxes (or equivalent) will be installed in appropriate locations within the site. Details of the specification, locations and installation dates of the bird and bat boxes will be submitted to the Local Planning Authority within 4 weeks of works commencing on site. Thereafter the bat and bird boxes shall be installed in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with the advice in National Planning Policy Framework (NPPF) (2019).

26. No vegetation removal 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.

Reason: In the interests of biodiversity and in accordance with the advice in National Planning Policy Framework (NPPF) (2019).

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

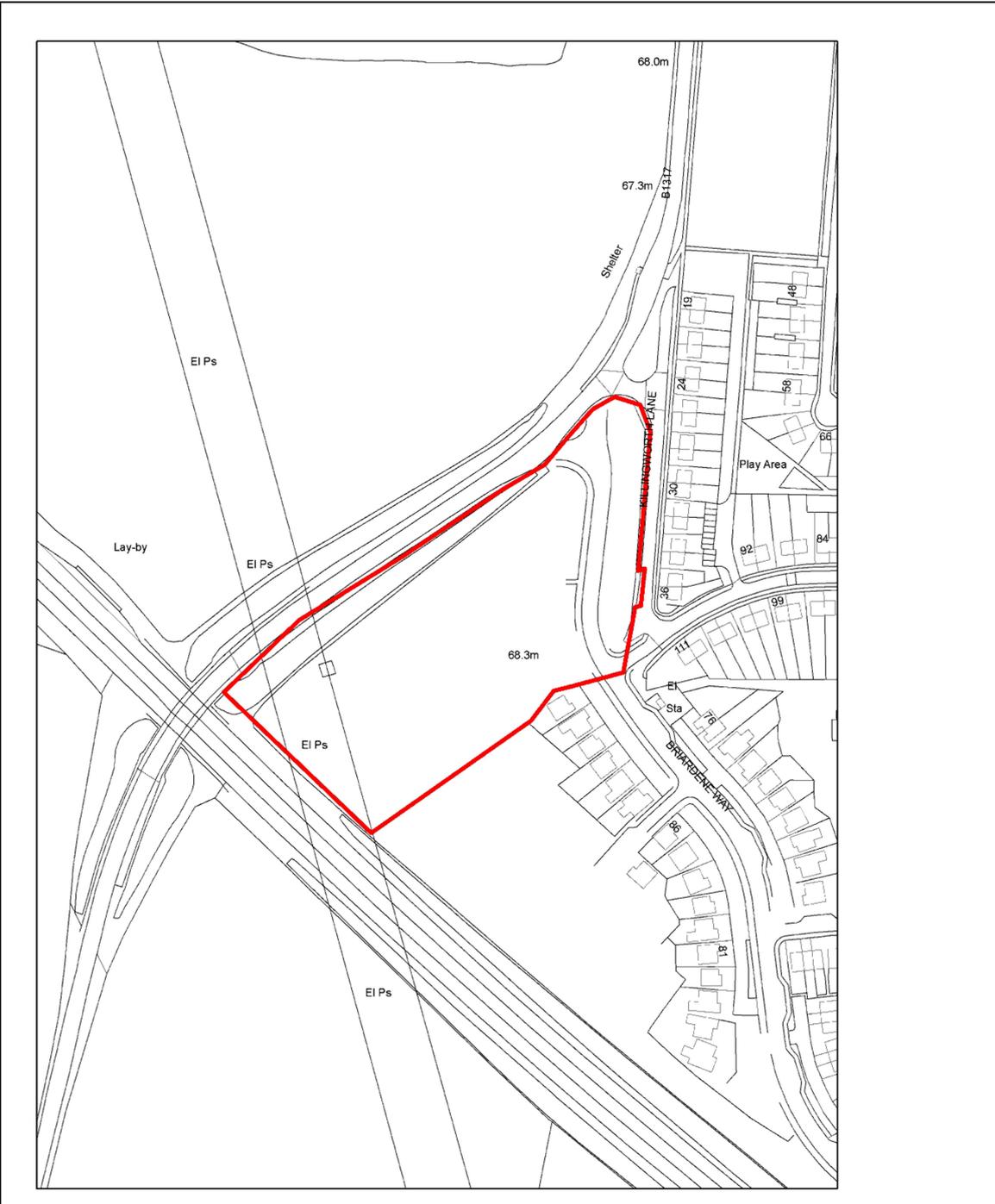
No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

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



Application reference: 18/01759/FUL
Location: Land North West of Briardene Way, Backworth
Proposal: Change of use of land and construction of a 1,985 sqm Extra Care Home containing 28 apartments and communal living areas (C2 residential institution) and 4no specialist care bungalows (C3 residential) together with new access road, car parking, landscaping and other ancillary works (amended plans received 15.02.19)

Not to scale
 Date: 07.03.2019

© Crown Copyright and database right
 2011. Ordnance Survey Licence Number
 0100016801



Appendix 1 – 18/01759/FUL Item 2

Consultations/representations

Internal Consultees

1. Highway Network Manager

1.1 This application is the construction of a 1,985m² extra care home containing 28 apartments and communal living areas and 4 specialist care bungalows together with new access road, car parking, landscaping and other ancillary works. The site is accessed via the existing infrastructure in the housing development and an appropriate level of parking has been provided. Conditional approval is recommended.

1.2 Recommendation - Conditional Approval

1.3 Conditions:

ACC11 - New Access: Access prior to Occ

ACC17 - Exist Access Closure: Misc Points, By *6 months

ACC20 - Visibility Splay: Detail, Before Devel (*2.4m by 43m by 0.6m)

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT06 - Construction Method Statement (Minor)

1.4 No development shall commence until a Travel Plan taking into account the new development has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

1.5 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dvlpt

2. Manager of Environmental Health (Pollution)

2.1 I have concerns with regard to road traffic noise from the A19 and B1317 affecting the site and potential noise from the development such as plant noise affecting the neighbouring new residential properties to the south of the site.

2.2 I have viewed the noise assessment report, which has determined that the site is considered low to medium for adverse effect. Noise levels for the worst affected facade are in the region of 65 dB LAeq for daytime and 62 dB LAeq at night. Good acoustic design is required to mitigate against external road traffic noise for habitable rooms, so that they achieve internal noise levels in accordance to BS8233 and the World Health Organisation guidelines for community noise. The noise assessment outlines a mitigation scheme for the window glazing for units A, B and C requiring a specification of 6/12/6 double glazing and it is considered that if this implemented then internal noise levels will

be achieved for good habitable living. The noise report indicates that mechanical ventilation is to be provided for the ventilation scheme, which will enable adequate ventilation without the need for open windows.

2.3 The external amenity area proposed will be within a courtyard layout with the buildings for units A, B and C screening the garden amenity areas from the road traffic noise. A boundary treatments plan has also been provided that indicates the provision of a earth bund ranging between 2.5-3m high to the western boundary of the site and 1.8 m high two sided close boarded fencing around the site. This can be conditioned.

2.4 The layout drawing for the care home site shows that the bedroom units for Unit C will contain their own kitchen facilities and for units A and B will have shared facilities per the 2 bedroom units on a domestic scale only. No commercial kitchens appear to be provided as part of the scheme.

2.5 If it is the intention of planning to approve the application, I would recommend the following:

2.6 Prior to occupation, submit and implement on approval of the Local Planning Authority a noise scheme for the acoustic glazing scheme in accordance to noise report NT14029/0001/VO.1 to address the external road traffic noise arising from the A19 and B1317. Details of the acoustic glazing to be provided must be in accordance with BS8233 and the World Health Organisation community noise guidelines must be provided to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms and 35 dB LAeq for living rooms is achieved.

2.7 Prior to occupation, submit details of the ventilation scheme for all habitable rooms, for approval in writing and thereafter implemented to ensure an appropriate standard of ventilation, with windows closed, is provided. Where the internal noise levels specified in BS8233 are not achievable, with a window open, due to the external noise environment, we expect that an alternative mechanical ventilation, such as mechanical heat recovery (MVHR) system should be provided that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

2.8 Carehome Site External Plant

2.9 A noise scheme in accordance to BS4142 must be submitted to ensure that the rating level for all plant and equipment installed at the care home site does not exceed the current background noise for daytime and night time. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.

2.10 Prior to occupation the boundary treatments plan as detailed on drawing no. 2620A-103 Rev D shall be implemented in accordance to the submitted details and thereafter retained.

HOU04
SIT03

2.11 Deliveries and collections to the care home site shall be restricted to between 07:00 and 23:00 hours.

REF01
REF02
LIG01

3. Manager of Environmental Health (Contaminated Land)

3.1 The findings of the DBS Environmental Report Phase 1 Geo-Environmental Desk Study December 2018 Ref 1314R001i1 Final are accepted. The applicant should adhere to the consultants recommendations made in Section 13 of the this report.

3.2 Due to the presence of a historic asphalt track and the sensitive end-use of the site; which is to be soft landscaped, the following condition should be attached:

A) A remediation statement should be submitted. This should provide details of exactly how the remediation works are to be carried out and a detailed site location plan of where material is to be deposited.

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

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

3. Sustainable Transport Officer

3.1 No comments.

4. Landscape Architect

4.1 The proposed site area is situated on undeveloped land adjacent to the A19 and Killingworth Lane, and south of Castle Square Estate in Backworth; approximately 8 miles northeast of Newcastle upon Tyne. The site is well connected to facilities and services and is bordered by existing mature hedgerows and tree planting groupings particularly at the western apex of the site and along the A19 and the B1317, which provides vehicular access to the proposed site and to the centre of Shiremoor and Killingworth. The proposed development site lies to the west of Shiremoor and was used until recently for agricultural purposes. A new access arrangement including a (roundabout) junction has recently been added to the local road design of the area.

4.2 Detailed information by way of a tree survey, tree protection plan and method statement have been submitted which evaluates the trees in accordance with British Standard 5837–2012 Trees in relation to design, demolition & construction, with regard to their quality and value. The type and size of the root protection area has been calculated and the position of the protective barriers is determined. The remaining contribution or safe useful life expectancy is estimated as an indication of the trees period of retention. The trees to the boundaries of the site along the A19 and the B1317 are to be retained.

4.3 The proposed Landscape Strategy provides a mix of ornamental planting with standard trees to the east of the site to define the site entrance and present a well maintained and attractive frontage to adjacent residential areas. A more informal character is proposed to the west, where a sensory garden and raised planting beds for residents are proposed. Hedge and shrub planting will be utilised as soft boundaries influencing circulation where possible, especially at the front of the site discouraging residents from accessing the car park and at the back restricting access to the electricity pylon. A range of tree sizes will be proposed for the site at key focal points and junctions creating different experiences for residents at Backworth. Deciduous trees with the potential to reach forest scale are included, particularly in the northern area of site to act as a buffer against the surrounding road network. Heavy or selected standard trees, as well as fruiting varieties are proposed in both the front and the back garden spaces. The inclusion of a range of tree species will enhance the ecological quality of site and subsequently provide interest for the residents. A detailed landscape plan will be required to confirm locations of species.

4.4 The scheme is acceptable in principle subject to the following conditions:

4.5 No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

4.6 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 and Arboricultural Method Statement submitted by All About Trees 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.

4.7 All works to be carried out in accordance with the submitted Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement submitted by All About Trees 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.

4.8 All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works, detail of which are to be submitted for approval.

4.9 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 Root Protection Area (RPA) of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.

4.10 An arboricultural consultant is to be appointed by the developer to advise on the tree management for the site and to undertake regular supervision visits to oversee the agreed tree protection and visit as required to oversee any unexpected works that could affect the trees. The supervision is to be undertaken in accordance with the Arboricultural Method Statement by All About Trees (section 5). This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.

4.11 Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree planting and ground preparation noting the species and sizes for all new plant species (**trees to be a minimum 12-14cm girth**).

4.12 All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with

the timetable agreed with the Local Planning Authority. 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.

4.13 No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

5. Biodiversity Officer

5.1 The proposed site is located on undeveloped land adjacent to the A19 and Killingworth Lane and south of Castle Square Estate in Backworth. To the north of the site there are arable fields, housing to the east and south of the site and the A19 lies to the west. The site previously consisted of arable land which has been stripped and there are trees and mature scrub planting along the northern boundary (B1317) and where the B1317 meets the A19.

5.1 A number of surveys have been submitted to support the application including an Ecological Assessment Report and tree survey reports.

5.2 Ecological Assessment Report

5.3 The above assessment concludes that the proposed development may impact on the area of scrub located in the north-west corner of the site and the species poor hedge along the eastern boundary will be lost. The scrub and hedgerow habitats within the site provide nesting opportunities for birds and therefore, the loss of hedgerow and scrub as a result of the development will impact directly on nesting birds.

5.4 No signs of badgers were found during the 2018 survey and no evidence of badgers was previously found during the 2013 survey. No evidence of any other protected or priority species was noted during the field survey, however, it was noted that the scrub and hedgerow may be suitable as foraging or refugia for hedgehogs, which are a UK priority species.

5.5 Lighting has the potential to impact the northern and western planting boundaries of the site and should be designed to minimise light spill into sensitive areas.

5.6 Tree Survey, Tree Protection Plan & Method Statement

5.7 The above reports show that the trees to the boundaries of the site along the A19 and the B1317 are to be retained with only the removal of the remnant hedgerow required along Killingworth Lane to facilitate the proposed development.

5.8 Landscape Strategy

5.9 The above strategy shows a mix of native and ornamental planting that will benefit the site and provide biodiversity benefits. The scheme may require some minor amendments which can be dealt with by way of a landscape condition.

5.10 I have no objections to the proposed scheme subject to the following conditions being attached to the application:-

Conditions

5.12 Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree, shrub and wildflower planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth).

5.13 No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

5.14 All trees and shrubs within and adjacent to the site will be adequately protected in accordance with BS5837:2012 and the submitted Tree Protection Plan and Arboricultural Method Statement

5.15 A Construction Method Statement will be submitted to the Local Planning Authority for approval prior to development commencing.

5.16 3no. Schwegler bird boxes and 3no. Schwegler 2F bat boxes (or equivalent) will be installed in appropriate locations within the site. Details of the specification, locations and installation dates of the bird and bat boxes will be submitted to the Local Planning Authority within 4 weeks of works commencing on site.

5.17 A Lighting Strategy will be submitted to the Local Planning Authority for approval within 4 weeks of works commencing on site. Lighting will be designed to minimise light spill to adjacent habitat areas and will be in accordance with the BCT/Institute of Lighting Engineers Guidance 'Bats and Lighting'.

5.18 No vegetation removal 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

5.19 All internal and external fencing associated with the scheme will include wildlife gaps measuring 13cm x 13cm to allow free access to small mammals throughout the site. Details of fencing to be submitted to the Local Authority for approval within 4 weeks of works commencing on site.

6. Local Lead Flood Authority

6.1 This application is the construction of a 1,985m² extra care home containing 28 apartments and communal living areas and 4 specialist care bungalows together with new access road, car parking, landscaping and other ancillary works.

6.2 The applicant's intentions are to attenuate the surface water within their site using underground storage crates and are proposing to restrict the surface water discharge rate to 10 litres per second, which will enter the adjacent development sites sustainable drainage system. Discussions have taken place with The Northumberland Estates regarding whether this additional surface water will have a detrimental impact on their surface water drainage proposals and they have confirmed that their system can accommodate this volume of water without issue. Conditional approval is recommended.

6.3 Recommendation - Conditional Approval

6.4 Condition:

No development shall commence until details of a surface water management scheme have been submitted to and approved by in writing the Local Planning Authority. This scheme shall include details of future maintenance of the system. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of surface water management.

External Consultees

7. The Coal Authority

7.1 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 the Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

7.2 The Coal Authority Recommendation to the LPA

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

8. Northumbrian Water

8.1 We would have no issues to raise with the above application, provided the application is approved and carried out in accordance with the submitted document entitled "*Drainage Strategy*". In this document it states that foul and surface water from the proposed development will discharge to the recently installed drainage system that serves the wider site, which has previously been reviewed by Northumbrian Water.

8.2 It should be noted that 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 the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

9. Newcastle International Airport

9.1 As the proposed location the development would be circa 3.5km south of the flight path for an eastern arrival / departure. The airport would expect at this location that all external lighting be cut off so to not spill any light pollution into the atmosphere, which could potentially act as a distraction for pilots.

9.2 Certain types of landscaping can be bird attracting, providing a habitat/feeding source for birds with the potential to result in an increase in bird strike incidences with aircraft. Plant species which bear fruit/berries should be avoided in the landscaping plan as these provide an exploitable food source for birds. Species which bear berries in the winter should be especially avoided as this can encourage gathering of birds in one area as other food sources are scarcer. The planting of certain tree species or dense formations of trees to develop continuous canopies, as well as those which will grow over 20m in height can encourage roosting, particularly starlings. Trees should be planted at least 4m centres and will need to be maintained as such throughout the lifetime of the development. Isolated trees where there would be minimum human disturbance should also be avoided. Although not limited to this list, the following species should be avoided –

<i>Crataegus monogyna</i> Hawthorn	<i>Lonicera</i> Honeysuckle
<i>Ilex aquifolium</i> Holly	<i>Mahonia</i>
<i>Rosa canina</i> Dog Rose	<i>Malus</i> Crab Apple
<i>Berberis spp</i> Barberry	<i>Sorbus aucuparia</i> Rowan
<i>Cotoneaster</i>	<i>Pernettya</i> Prickly Heath
<i>Viburnum</i>	<i>Prunus avium</i> Wild Cherry
<i>Aucuba Buddleia</i>	<i>Prunus spinosa</i> Blackthorn
<i>Callicarpa</i> Beauty Berry	<i>Pyracantha</i> Firethorn
<i>Chaenomeles</i> Japonica	<i>Rhus</i> Sumac
<i>Clerodendrum</i>	<i>Ribes</i> Ornamental Currant
<i>Danae</i> Butcher's Broom	<i>Sambucus nigra</i> Elder
<i>Daphne Euonymus</i> Spindle	<i>Skimmia</i>
<i>Hypericum</i> St John's Wort	<i>Stransvaesia</i>
<i>Lonicera</i> Honeysuckle	<i>Symphoricarpus</i> Snowberry
Yew (<i>Taxus baccata</i>)	English Oak (<i>Quercus robur</i>),
Scot Pine (<i>Pinus sylvestris</i>)	Leylandi

9. Representations

2 letters of objection has been received raising the following issues;

Inappropriate design;

Loss of residential amenity;

Loss of visual amenity;

None compliance with approved policy;

Not in accordance with the development plan.

Nuisance - disturbance

Nuisance - dust/dirt

Nuisance - fumes

Nuisance - noise

Out of keeping with surroundings

Precedent will be set

Traffic congestion
Will result in visual intrusion

I (occupier of 92 Briardene Way) own the property to the right of the proposed development and the boundary is incorrect. This is currently being rectified with Robertsons. As such the perimeter plot for your proposed development is incorrect.

Planning Officer Comment: Amended plans have been submitted to address this comment.