

**Application No:** 19/01167/PIP Author: Claire Dobinson Booth  
Date valid: 29 August 2019 ☎: 0191 643 6341  
Target decision date: 7 November 2019 Ward: Camperdown

Application type: Permission in Principle

**Location: Land South Of, Leeholme, Burradon Road, Annitsford, NORTHUMBERLAND**

**Proposal: To establish the principle for residential development of between 5 and 12 dwellings**

Applicant: North Tyneside Council, Cobalt Business Park North Tyneside NE27 0BY

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1. Background

1.1 Permission in Principle (PiP) is a type of planning consent, which grants permission for housing on a brownfield site. It is important to note that the only matter open to consideration for a PiP is whether the site is suitable for housing development and the number of homes that would be appropriate. Development cannot start on site until a Technical Details Consent (TDC) has been approved. TDC would confirm details for development including the access arrangements, design and materials.

#### 2. Main Issues

2.1 The main issues for Members to consider are;

- Principle;
- Impact on the character and appearance of the site and the surrounding area;
- Impact upon neighbouring occupiers; and
- Highway safety.

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

#### 3. Description of the Site

3.1 The site to which the proposal relates is in an area of land currently used as a bus depot and storage facility. The Pioneer Social Club is to the east of the site

with a petrol filling station to the south. Residential properties are located to the north of the site and to the west beyond the adjacent highway, Burradon Road. Access to the site is gained via Burradon Road and then a single vehicular track located between the residential properties and the Pioneer Social Club.

#### 4. Description of the Proposal

4.1 To establish the principle for residential development of between 5 and 12 dwellings

4.2 The proposal seeks for the site to be placed on Part 2 of the Brownfield Land Register and be granted permission in principle for the construction of between 5 and 12 dwellings.

4.3 No details are required for proposals to place land onto the Brownfield Land Register, any decision is based purely on the principle of housing on that site. All details are reserved for the Technical Details Consent stage.

#### 5. Relevant Planning History

15/01985/FUL - Erection of vehicle storage building. Permitted 16.03.2016.

12/01319/FUL - Change of use from staff car park to storage of containers, touring caravans and staff car park. Permitted 09.10.2012

#### 6 Government Policy

6.1 National Planning Policy Framework February 2019

6.2 National Planning Policy Guidance (As amended)

6.3 The Town and Country Planning (Brownfield Land Register) Regulations 2017

#### 7. Development Plan

7.1 North Tyneside Local Plan 2017

7.2 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**

#### 8. Main Issues

7.1 The main issues for Members to consider are;

- Principle;
- Impact on the character and appearance of the site and the surrounding area
- Impact upon neighbouring occupiers; and
- Highway safety.

8.2 Consultation responses and objections regarding the proposal are set out in Appendix 1 to this report

## 9. Principle of Development

9.1 It is proposed that the site is placed on Part 2 of the Brownfield Land Register and granted Permission in Principle for between 5 and 12 new dwellings.

9.2 One of the core land-use planning principles which should underpin both plan-making and decision-taking is to encourage the effective use of land by re using land that has been previously development (brownfield land) provided that it is not of high environmental value.

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

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

9.5 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.

9.6 Local Plan Policy DM1.3 Presumption in Favour of Sustainable Development states: "The Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the Development Management process and application of the policies of the Local Plan.

9.7 Members are advised that the site, subject of this application, is identified for housing under Policy S4.3 (Site 119 Site off Burradon Road, Dudley). The Local Plan identifies that this site can provide a potential of 12 units. The number given in the Local Plan is only potential and has this been derived for the purposes of helping the Council to determine how much housing land it needs to provide to ensure enough housing is built. It has not been derived following any detailed design work. Although this proposal will give slightly wider parameters (one more unit) than that indicated in the Local Plan, that, in itself is not harmful. The issue is whether the site can adequately accommodate the amount of housing proposed.

9.8 It is officer advice that, the principle of the proposed development is acceptable and is in full accordance with the advice in NPPF and policies DM1.3, S4.1 and S4.3 (14) of the North Tyneside LP (2017).

## 10. Character and appearance

10.1 Paragraph 124 of the NPPF recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 At this time there is no site layout and no housing design, however, it is important to consider if a reasonable site layout could be achieved on the site without compromising the street scene.

10.3 Local Plan 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...”

10.4 The site is located to the east of the B1505. The immediate surrounding area is mix of commercial uses and residential dwellings. The existing residential dwellings are a mix of semi-detached and terraced two-storeys houses with the surrounding commercial units respecting this height.

10.5 The site consists of mainly hardstanding areas and commercial buildings with little landscaping except for tree planting to the southern boundary and a hedgerow to the western boundary of the site.

10.6 Development of the site will require an arboricultural impact assessment which should influence and inform the design and site layout. A landscaping scheme should also be provided, and should any buildings be demolished a bat survey of these buildings should be provided. Existing trees/hedges should be retained and protected as part of any scheme.

10.7 Officers consider that it is possible to design a site layout and dwelling design that will be in keeping with the area and conform with national and local design policies. Members need to consider whether they agree.

## 11. Impact on Neighbours

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

11.2 Paragraph 182 of the NPPF 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.

11.3 Local Plan Policy S1.4 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.

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

11.5 Development proposed where pollution levels are unacceptable will not be permitted unless it is possible for mitigation measures to be introduced to secure a satisfactory living or working environment."

11.6 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.

11.7 The site is located in an area subject to a number of different noise sources that include noise arising from traffic using the B1505 and the A189 and aircraft noise as the site is located beneath an area where aircraft depart and approach Newcastle International Airport Limited (NIAL). It is also noted that there are commercial premises located adjacent to the site which have potential to generate noise.

11.8 Both NIAL and the Manager of Environmental Health have advised that a condition will be required to ensure that the proposed dwellings will have to be constructed to provide sound insulation against external noise to achieve internal night-time bedroom levels of 30dB LAeq, 8 hours (45 db LAmax) and internal daytime living room levels of 35dB LAeq, 16 hours with windows shut and other means of ventilation provided.

11.9 NIAL has advised that the site falls on the cusp of the future 2035 48dB LAeq 8-hour night noise contour 54dB LAeq 16-hour daytime noise contour with runway extension. Members are advised that whilst the Airport Masterplan sets out the future aspirations of the airport's expansion, the extension to the runway, to date, has not been granted planning permission and therefore this cannot be given significant weight.

11.10 Mitigation against noise issues will not be straight forward and the onus is on a future applicant to demonstrate that aircraft noise would not result in any detriment to the residential amenity of future residents of the development.

11.11 In order to ensure acceptable residential amenity for future residents, robust noise mitigation measures in terms of design and layout will be expected as part of a Technical Details application. However, officers do not consider that this precludes development of the site.

11.12 NIAL also requests that an informative is included as part of any planning decisions associated with this development site. This is in order to make clear of the existing aircraft operations which would impact the site. This is included in Technical Details Consideration 5.

11.13 The Council's Contaminated Land Officer has raised no objections, subject to conditions. In order to address environmental concerns it is recommended that a desk study and risk assessment be carried out on the site. This should then be followed by a site investigation and risk assessment to determine the nature and extent of any contamination. A detailed remediation scheme would be required to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historic environment. This scheme must be carried out in accordance with its terms prior to the commencement of development. This is addressed in Technical Details Consent Key Development Consideration 3.

## 12. Highway Safety

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

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

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

12.3 Paragraph 109 of NPPF states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.4 The Highway Network Manager was consulted on the application and has raised no objections, however, he has advised that at the Technical Details application stage a developer should comply with requirements of Local Development Document 12.

12.5 The single access from Burradon Road is acceptable in principle but there should be no direct private access onto Burradon Road. The exact access arrangements would be considered as part of the Technical Details Consent to ensure that the site would not have an adverse impact upon highway safety.

### 13. Other Matters

#### 14. Habitats Development

14.1 The Appropriate Assessment (AA) carried out for the Local Plan advised that the Northumbria Coast SPA/Ramsar and Durham Coast SAC are the sites where likely significant effects as a result of increased recreational disturbance may occur. The AA concluded that implementation of the Local Plan could cause adverse impacts to the Durham Coast SAC and particularly to the Northumbria Coast SPA /Ramsar through residential pressure within a local catchment and visitor pressure from a wider catchment. This would arise from development particularly within a 6km buffer zone of the coast, but also with some impacts from a wider catchment. The AA therefore identified that appropriate mitigation would be required for development to take place without leading to adverse impact.

14.2 Subsequently the Coastal Mitigation Supplementary Planning Document (SPD) has been prepared to provide additional guidance and information on the mitigation expected to be required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. The SPD sets out level of financial contribution from each planning application required to support the coastal mitigation. . This site lies outside of the 6km Zone, but as per the policy in the SPD a contribution towards coastal mitigation would be required, albeit the lower level due to the sites distance from the coast.

#### 14.3 Housing Standards, S106 Contributions and CIL

14.4 An applicant making a Technical Details Consent application also needs to be aware of adopted council policy with regards to Housing Standards, S106 Contributions and Community Infrastructure Levy (CIL).

14.5 Policy DM4.9 states that subject to viability 50% of homes are to meet building regulation M4(2) – ‘Category 2 – accessible and adaptable dwellings. For affordable housing, which will be required if the Technical Details Consent proposes 11 or more dwellings 90% is expected to meet M4(2) and 10% of homes where the Local Authority is responsible for allocating or nominating should achieve M4(3)(2)(b).

14.6 All new homes both market and affordable need to meet the Government’s National Described Space Standard (NDSS).

14.7 If the proposal seeks 10 or more dwellings then subject to viability considerations it will be expected to make S106 contributions in accordance with the Council’s Planning Obligations (SPD) (2018).

14.8 As the proposal would create new dwellings it will be liable to pay Community Infrastructure Levy (CIL). The exact amount would depend on the number of dwellings proposed.

## 15. Conclusion

15.1 The development is acceptable in principle given the site lies within the existing urban area and no fundamental constraints to development have been identified. Due regard should be given to the Technical Details Consent Key Development Considerations.

### **RECOMMENDATION: Application Permitted**

**It is recommended that under The Town and Country Planning (Brownfield Land Register) Regulations 2017 the transfer of the site from Part 1 to Part 2 of the Council's Brownfield Register and Permission in Principle be granted for between 5 and 13 dwellings on the land south of Leasholme, Annitsford.**

**TECHNICAL DETAILS CONSENT KEY DEVELOPMENT CONSIDERATIONS**  
In accordance with Planning Practice Guidance (Paragraph: 019 Reference ID: 58-019- 20170728) Local Planning Authorities can inform applicants about what they expect to see at the Technical Details Consent stage. The following set out the matters that North Tyneside Council would like to see addressed at the Technical Details Consent stage regarding this Permission in Principle proposal:

### **Conditions/Reasons**

1. Demonstrate satisfactory access and layout arrangements and be in accordance with Local Development Document 12 (Transport and Highways Supplementary Planning Document (May 2017)).
2. Any layout would be expected to give regard to trees on and around the site. An Arboricultural Assessment and Landscape Scheme would be required in order to identify the constraints and ensure the landscape and trees are adequately protected.
3. A desk study, site investigation and risk assessment should be carried out to determine the risk of any contamination on the site, irrespective of whether it originates on the site. Following this, a detailed remediation scheme should be developed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment
4. Thorough noise investigations should be carried out and submitted with an application for Technical Details consent. Site layout and mitigation will need to consider airport noise and traffic noise from nearby roads
5. The development lies within close proximity to the designated and well-established flightpath from Newcastle International Airport. The Airport operates unrestricted flying 365 days per year, 24 hours per day. The site is also a co-opted military airfield and therefore unrestrictedly accepts military aircraft. Properties contained within the development will be exposed to aircraft noise.



6. It is essential that the type of sustainable drainage system for a proposed site, along with details of its extent/position, function and future management arrangements are identified at the design stage of a proposed development. This information will be required by the Local Planning Authority in a clearly labelled site specific 'Surface Water Drainage Strategy' at the time that an application for Technical Details Consent is made.

7. If buildings are to be demolished the applicant should be aware that there may be bats present and a Bat Survey prior to the buildings being demolished.

8. Depending on the number of dwellings the applicant will need to comply with the Council's relevant policies regarding, Planning Obligations, including affordable housing, housing standards set out in National Described Space Standards (NDSS) and Community Infrastructure Levy.

**Appendix 1 – 19/01167/PIP  
Item 2**

**Consultations/representations**

Internal Consultees

1. Highway Network Manager (Highways)

1.1 This is a permission in principle (PIP) application to establish the principle for residential development of between 5 and 12 dwellings. Initial comments:

1.2 Developer should comply with requirements of LDD12 for parking standards, cycle parking standards, public transport etc.

1.3 Single access from Burradon Road acceptable in principle but no direct private access onto Burradon Road

1.4 Pedestrian & cycle links to be provided to existing network

1.5 Access width of 4.8m with 6.0m radii & 2.0m footpaths & visibility splays of 2.4m by 43m required

1.6 All single drive lengths to measure at least 5.0m (5.5m in front of up & over or side opening garage doors)

1.7 Courtyard parking to incorporate bays 2.5m by 5.0m with 6.0m reversing distance

1.8 Site would not be eligible for adoption by the Local Highway Authority

1.9 Parking required at the rate of 1 space for up to 2 bedrooms & 1 space per bedroom thereafter - five 5 bed & two four bed (new build) plus two 1 bed & one 2 bed (conversion) require a total of 29 spaces. Plot four requires an additional space which should be achievable with a double-width drive.

1.10 Visitor parking required at the rate of 1 space per 3 dwellings.

1.11 Refuse & service management strategy to be provided including swept path analysis of appropriate council refuse vehicle

1.12 All dwellings to provide cycle storage shed.

1.13 Details of Street naming & numbering scheme to be agreed with Streetworks Team prior to occupation.

1.14 Details of surface water management to be agreed with LLFA & NWL

1.15 Public Rights of Way Officer to comment on any PROW's or DMMO's.

1.16 Public Rights of Way of to be protected during construction

1.17 More detailed comments will be provided on receipt of more detailed plans

## 2. Manager of Environmental Health (Pollution)

2.1 Thank you for consulting Pollution with regard to this application for the above development. I note the site is located on a busy road the B1505 and adjacent to the A189, this would require road traffic noise to be taken into account and an appropriate noise scheme to address sound mitigation will be necessary. The noise scheme would also require air traffic noise to be considered as part of the noise assessment as the site is located within an area close to aircraft departing and approaching Newcastle Airport. In addition, the site is located next to 2 garages and adjacent to industrial workshops and the Pioneer Club, I would have concerns about potential commercial and industrial noise such as delivery noise and external plant noise affecting the site. Noise from amplified music played at the Club may also need to be taken into consideration and noise from customers at the Club. It is unclear whether any of the units operate on a 24 hour basis or have associated early morning noise, I would therefore advise that the noise assessment includes for 24 hour monitoring to ensure representative background noise levels are obtained and monitoring for noise arising from the Pioneer Club will need to be provided. Industrial and commercial noise to be assessed in accordance to BS4142.

2.2 The traffic noise assessment shall be carried out based on the memorandum of road traffic noise and consideration should be given to ensure that gardens and internal rooms are provided with appropriate noise mitigation to ensure good standards of internal noise levels in accordance with BS8233 and World Health Organisation community noise levels to give a resultant noise level of below 30 decibels and maximum noise level of 45dB for bedrooms and 35 decibels for living rooms is achieved and external gardens meet the world health organisation community noise level for outside spaces to 50 dB if planning consent is to be given. I would recommend the following prior to occupation, submit and implement on approval of the Local Planning Authority a noise scheme for the acoustic glazing scheme that has considered road traffic, air traffic noise, noise from the Pioneer Club and industrial/commercial noise. 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. Outdoor garden areas to achieve resultant noise levels of below 50 dB LAeq in accordance to the World Health Organisation community noise guidance.

2.3 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 window open, due to the external noise environment, an alternative mechanical ventilation must be provided, 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.

2.4 Suggest the following conditions; HOU04 & SIT03

### 3. Manager of Environmental Health (Contamination Land Officer)

3.1 No objection in principle. Due to the proposed sensitive end use the following would be attached to any future application; Con 001

### 4. Local Lead Flood Authority

4.1 Sustainable drainage solutions appropriate to the nature of the development, the visual character of the local area and site-specific constraints should be selected to maximise the benefits and effectiveness of drainage systems.

4.2 It is essential that the type of sustainable drainage system for a proposed site, along with details of its extent/position, function and future management arrangements are identified at the design stage of a proposed development. For most sites, this information will be required by the Local Planning Authority in a clearly labelled site specific 'Surface Water Drainage Strategy' at the time that an application is made. This applies to both greenfield and previously developed sites and is in addition to requirements for a Flood Risk Assessment (FRA). A Surface Water Drainage Strategy may form an appendix to the FRA however for validation purposes it must be clearly identified, failure to do so may result in an application not being made valid.

4.3 Validation requirements for surface water drainage In line with North Tyneside Council's local validation requirements, the following applies:

4.4 Major developments (residential development of either 10 dwellings or more or on a site of 0.5Ha or greater; or equivalent non-residential or mixed development of 1,000 m<sup>2</sup> or more, or where development is carried out on a site having an area of 1ha or more): In order to be made valid, any application for a major development submitted to North Tyneside Council must include an appropriately detailed site-specific Surface Water Drainage Strategy.

4.5 Minor developments (up to a maximum of 9 dwellings or 999m<sup>2</sup> of non-residential property): Under NPPF 103 SuDS must be prioritised. Proposals will provide detail relevant to the nature and scale of development on surface water management.

4.6 Design principles for SuDS on all sites.

4.7 The Council will seek to secure SuDS schemes that maximise amenity, biodiversity and other benefits to the local area in addition to flood risk management. To achieve this, surface water should be managed as close to source (where it falls) and on the surface wherever possible and the principles of the SuDS 'management train' should be applied. Wherever possible the passage of water between individual parts of the train should be considered through the use of natural conveyance systems (e.g. swales and filter trenches) in place of conventional pipework.

4.8 Providing existing site information

4.9 All applications should provide information on how the site currently drains and assess if there are any site constraints or hazards that will pose a flood risk

to the proposed development or management of surface water run-off. The Council's Lead Local Flood Authority (LLFA) may be able to provide drainage information to assist with the preliminary assessment of a site, see our website for details.

4.10 Satisfying the hierarchy of discharge destinations for surface water run-off  
Details of how the proposed development is going to dispose of its surface water will be required for all applications and must demonstrate compliance with the hierarchy of discharge destinations in the Building Regulations (Part H). Surface water run off should be disposed of as high up the hierarchy as is reasonably practicable and applicants must demonstrate in sequence why the subsequent discharge destination was selected.

4.11 Drainage hierarchy:

1. Into the ground (infiltration) and re-use, or then 2. To a surface water body, or then 3. To a surface water sewer, highway drain, or another drainage system, or then 4. To a public sewer.

4.12 The preferred method should be supplemented by water re-use, via systems that collect runoff from roofs or other impermeable surfaces and make it available for non-potable use. Any attenuation provided by water butts is not to be taken into account when calculating site runoff.

4.13 Infiltration - Due to the underlying ground conditions throughout North Tyneside the use of infiltration techniques is considered not to be a viable option.

4.14 Controlling discharge rates

4.15 Controlled discharge to a surface water body/watercourse/public sewer -  
Where discharging to a watercourse, water body or surface water sewer the applicant must demonstrate that the capacity of the receiving system and the capacity during flood events will be retained following development. Before disposal of surface water to a public surface water sewer is considered acceptable, all other options set out in Approved Document Part H of the Building Regulations.

## 5. Landscape Officer

5.1 There are no significant landscape assets on site however, trees occupy residential gardens immediately to the north and also adjacent to the A189 trunk road to Seghill to the east. There are also sporadic groupings and solitary trees in and around the immediate application area to the south, populating recreational public space and land supporting the local road network and its associated verge areas.

5.2 The site is not an area of designated open space nor located within a wildlife corridor, as defined by the Local Plan Policies map. However, any development should look to protect any trees of significance and provide net gains in biodiversity in accordance with the Local Plan policies.

5.3 Any development or final layout of the site will require a detailed tree survey and impact assessment which should in turn influence and inform the design, site

layout. All trees including those on adjacent sites should be retained and protected with any tree removal based on the recommendations of the arboricultural report. Any retained trees even on neighbouring sites should be protected during the course of the works within the limited working access space and confines available. This is to ensure tree removal is kept to a minimum and the following Local Plan policies are met.

5.4 In terms of design, the siting, scale and design of the development, a high quality, cost effective landscape solution should be provided through the implementation of an environmentally sensitive landscape design. This will ensure quality of place; help create a sustainable living environment and ensures that the development sits comfortably within the landscape of the local area. However, the site is small with potentially limited space and a meaningful landscape scheme may be difficult to achieve. However, the key objectives to any design, whatever the size, should be to identify at an early stage any opportunities for new high-quality landscape and biodiversity features and ensure that there is no unacceptable impacts on landscape character.

5.5 If a full application is to be submitted for full planning permission for this site, it will need to be supported by the following information to enable the Local Authority to fully assess the scheme:

5.6 A tree survey and Arboricultural Impact Assessment in accordance with BS5837:2012 is to be submitted for the trees adjacent to the site, with the final layout based on the findings of the survey information. The final layout should ensure adequate space is given to conserving and protecting any existing landscape features with provision to strengthen and enhance landscape features and biodiversity as required by the local plan policies.

5.7 A landscape scheme that looks to enhance the landscape character and biodiversity of the development.

## 6. Biodiversity Officer

6.1 The site consists of mainly hardstanding areas and commercial buildings with little landscaping except for tree planting to the southern boundary and a hedgerow to the western boundary of the site.

6.2 Development of the site will require a detailed tree survey and impact assessment which should influence and inform the design and site layout. Existing trees/hedges should be retained and protected as part of any scheme. In addition, any buildings on site identified for demolition or renovation will require a bat risk assessment to be undertaken.

6.3 If a full application is submitted for this site, it will need to be supported by the following information to enable the Local Authority to fully assess the scheme:

6.4 Bat Risk Assessment of any buildings to be demolished or renovated within the site

6.5 Tree Survey and Arboricultural Impact Assessment (AIA)

## 6.6 Landscape Scheme

### 7. Tyne and Wear Archaeology Officer

7.1 I have checked the site against the Historic Environment Register and consider that the proposals will not have a significant impact on any known heritage assets, and there is currently no indication that the site has archaeological potential, therefore no archaeological work would be required.

### External Consultees

#### 8. Natural England

8.1 Based on the information provided, Natural England considers that the proposed site to be granted permission in principle has the potential to indirectly impact on a Site of Special Scientific Interest.

8.2 North Tyneside Council are developing a Coastal Mitigation SPD to address indirect impacts on the coastal designated sites within the Borough resulting from increased housing. The SPD proposes a financial contribution per dwelling should be secured via a S106 agreement to enable appropriate mitigation to be implemented to address issues resulting from increased recreational activity due to more residents. Any development on this land should contribute towards this mitigation as appropriate.

8.3 You should ensure that you have sufficient information to fully assess all relevant environmental considerations and be satisfied that avoidance or mitigation measures for any adverse impacts can be delivered. Generic Advice from Natural England on environmental issues relating to brownfield registers and permission in principle is set out in Annex A.

#### 9. Newcastle International Airport

9.1 After reviewing the proposed site location plan, it is clear that the potential development site falls on the cusp of the 54db (A) contour (daytime) and the 48 db(A) (night time) of the Airport's 2035 noise contours (with runway extension), and the site is in close proximity to the Airport's flightpath.

#### 9.2 Outside noise

9.3 With regards to noise in private gardens, the dB levels for this site are near to/or above the BS 8233 standard which offers guidance on sound insulation and noise outlining guideline values for gardens.

9.4 The British Standard guidance (BS 8233) states that it is desirable that outdoor noise levels should not exceed 50 dBLAeq,16h, and 55 dBLAeq,16h should be regarded as the upper limit.

9.5 The World Health Organisation states in its guidelines for community noise (1999) that in order to protect people from serious annoyance, noise levels should not exceed 55dBLAeq,16h for a steady continuous noise during the day, and to protect the majority of people from being moderately annoyed the outdoor noise level should not exceed 50 dBLAeq,16h. Adverse health effects are observed by the WHO at 40 to 55dB.

9.6 Within residential gardens NIAL consider that future residents in this site will likely experience noise from aircraft to levels which could result in significant annoyance associated with enjoyment of a garden.

9.7 Ordinarily noise may be mitigated through site layout and other measures such as earth bunds. However, given the location and height of aircraft in relation to the site it is not clear if or how noise can be mitigated in private amenity space (i.e. gardens).

9.8 Given that flight paths and operations are fixed this close to the airfield, NIAL could in no way mitigate the impact on residents through changes to airfield operations. The development as proposed would willingly expose residents to future noise levels which could have an adverse impact on residential amenity. The growth of the Airport is vital for the regional economy and it is imperative that possible barriers to this are not approved.

9.9 NIAL considers that future residents of the development will likely experience outdoor noise levels above which the UK Government identifies the onset of significant community annoyance. Consequently residents may not be able to sleep undisturbed without the closing of windows, which is a material change in behaviour. They may also not be able to enjoy the use of their gardens in areas of the site without being exposed to noise levels above the recommended daily average.

#### 9.10 Inside Noise

9.11 With regard to internal noise levels, it should be noted, as indicated in BS 8233, that airport noise contours are based on a peak day daily average, therefore the site will be exposed to individual noise events in excess of those indicated by the noise contours. Therefore consideration should be given to whether the design of the homes to achieve the internal noise levels set out in future planning conditions are based on mitigating exposure levels beyond those indicated by the Airport noise contours, as they exclude military aircraft movement.

9.12 With regard to indoor noise levels, the indicated average outside levels of 48-55db are considered likely to result in sleep disturbance with windows open to the extent that the occupiers of the proposed dwellings will resort to the closing of windows.

9.13 BS8233:2014 sets out the values for internal levels including night time in habitable rooms. The standards for daytime ie 0700 until 2300 hours are for living rooms 35dB LAeq, 16hour and for night time hours; 2300 until 0700 30dB LAeq, 8hour. Where there are shared living areas, the lower of the standards is used to design mitigation schemes. The British Standards also state that for regular individual noise events at night time the noise levels should not exceed a certain level and a certain number of events, expressed as LMax. NIAL would therefore expect that the built fabric of the houses are designed to achieve these values with windows closed and that an alternative means of ventilation is provided, which could be controlled by condition.



9.14 NIAL recommends that any planning permission conditions that dwellings will have to be constructed to provide sound insulation against external noise to achieve internal night time bedroom levels of 30 dB LAeq, 8 hours (45 dB LAmax) and internal daytime living room levels of 35 dB LAeq, 16 hours with windows shut and other means of ventilation provided, and we would request that mitigation is evident in plans supporting subsequent planning applications.

#### 9.15 Noise Mitigation, Assessment and Future Consultation

9.16 We would therefore expect aircraft noise assessments and mitigation of such impacts to be assessed as a minimum during the planning application stage.

9.17 We would also request that we are consulted on these assessments and proposed noise mitigation measures at future planning application stages.

9.18 NIAL request that robust noise mitigation measures in terms of design and layout are considered /conditioned as part of a grant of planning permission to ensure acceptable residential amenity for future residents of the development.

9.19 Our position on noise may change depending on the nature and content of future submissions.

9.20 The onus is on the applicant to demonstrate that aircraft noise would not result in any detriment to the residential amenity of future residents of the development.

#### 9.21 Noise informative

9.22 NIAL also requests that the below informative is conditioned as part of any planning decisions associated with this application and wider development site. This is in order to make clear of the existing aircraft operations which would impact the site:

9.23 The development hereby approved lies within close proximity to the designated and well-established flightpath from Newcastle International Airport. The Airport operates unrestricted flying 365 days per year, 24 hours per day. The site is also a co-opted military airfield and therefore unrestrictedly accepts military aircraft. Properties contained within the development will be exposed to aircraft noise.

9.24 I trust the above clarifies NIAL's position on noise, but if you do require any further information, please do not hesitate to get in touch.

## 10. Representations

10.1 Two representations were received from one member of the public asking for further information.