GEORGE F.WHITE



PLANNING STATEMENT (INCORPORATING OPEN SPACE ASSESSMENT & AFFORDABLE HOUSING STATEMENT)

Former Boldon C of E Primary School
West Boldon

August 2019

Client Name	Karbon Homes
Client Reference	WOL608753
Date	August 2019
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INTRODUCTION

1.1 George F. White (Planning and Development) are instructed by Karbon Homes ('the Applicant') to prepare a supporting Planning Statement for the erection of 14 residential dwellings, associated access, car parking, landscaping and ancillary infrastructure, on land at the former Boldon C of E Primary School, Rectory Bank, West Boldon (the 'Site'). Karbon Homes is a 'registered provider' of affordable homes with Homes England.

1.2 The application follows the refusal of a similar proposal for 16 dwellings. The decision was contrary to the planning officer's recommendation to approve the application. The scheme is currently the subject of an appeal.

1.3 Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning statement considers the application's conformity with the Development Plan, relevant national planning policy and other material considerations.

1.4 In addition to this statement, the application also comprises the following:

- Site Location Plan;
- Planning Statement (this Statement);
- Planning application drawings (Norr Architects August 2019)
- Drainage and Maintenance Strategy
- Phase 1 Desktop Study
- Post Demolition Ground Investigation Report
- Ground Gas Risk Assessment
- Ecology Report
- Tree Constraints Assessment and Site Plan
- Heritage Statement
- Design and Access Statement
- Affordable Housing Statement (within this Statement)
- Open Space Assessment (within this Statement)
- Sustainability Statement Addendum

SITE AND SURROUNDINGS

2.1 The application site is situated in the settlement of West Boldon. It formerly accommodated West Boldon CE Primary School, which closed in 2009 and was subsequently demolished. The previously developed status is evident in the remaining L-shaped extent of hardstanding taking up the majority of the site, which extends to some 0.39 hectares. The northern most part of the site comprises an area of green amenity space leftover from when the school was in use. A playing field remains to the west of the hardstanding, which does not form part of the application site. This is allocated in the Development Plan as 'recreational open space/playing field'. The site has an existing access on the southern end of the site's frontage, which links to North Road.







Top Left: Up to date Aerial Photo

Above: Streetscene image from 2017

Left: Aerial photo from 2017 before school building was demolished

2.2 The school building formed the built up area of the settlement, with residential development adjacent to the southern and western boundaries of the site, and on the opposite side of North Road. The eastern boundary adjoins North Road, and the northern boundary accommodates a belt of trees, with an enclosed field beyond, with the fall of the land sloping away, before reaching the River Don, which is lined with trees.

2.3 The settlement of Boldon Colliery is a short distance to the north, connected by North Road. This sits within a group of linked settlements known locally as The Boldons. Collectively the settlements have a broad range of services and facilities and excellent transport links to the wider area.

2.4 There are bus stops within a short walking distance on North Road to the east of the site. East Boldon Metro station sits approximately 2km to the east of the site and the A19 is just 1km to the west.

2.5 The site sits entirely within the boundaries of Boldon Conservation Area but does not contain any Listed Buildings or Scheduled Monuments. The site has no statutory designation in terms of landscape, biodiversity or cultural heritage.

2.6 During the consideration of the previous application, the Council issued a provisional Tree Preservation Order (Ref: TPO NO.355) on 22 of the trees. The Council received an objection to the TPO, and it currently remains provisional

PROPOSED DEVELOPMENT

3.1 The proposal is to construct a total of 14 affordable units. The proposed dwellings will be contained entirely within the brownfield element of the former school. The table below summaries the mix and distribution of house types and sizes.

	Percentage (%)	Total
3 bed semi detached	**57**	**8**
4 bed detached	**14**	**2**
4 bed semi detached	**29**	**4**
Total		**14**

3.2 100% of the housing being delivered is affordable to be offered on an affordable home ownership tenure. The scheme is being part Government funded by Homes England, whereby homeowners rent the property at an affordable rent with the opportunity to purchase at a later date.

3.3 The dwellings will be rent to buy. The tenure was discussed at length during the consideration of the previous application, with details set out in sections 3.15 – 3.22 of the planning committee report (attached at appendix A). This includes reference to the NPPFs definition of affordable housing and the Council's confirmation that they accept that the dwellings would meet the NPPF's definition. This is subject to a legal agreement securing this provision.

3.4 The existing access to the site would be stopped up, with a new access being formed off North Road at the northern part of the site.

3.5 Pedestrian access has also been considered, with good links to the open space and wider network of paths.

3.6 The reduction in dwelling numbers impacts upon the proposed density of the development when compared within the refused scheme, along with questions in relation to viability. These are currently being explored, however an application for the reduced scheme is being submitted now, due to pressures on timescales.

PLANNING BACKGROUND

Planning History

4.1 The previous application (ST/1087/18/FUL) for 16 dwellings was determined at planning committee. The Planning Officer's Committee Report recommended approval of the application and included reference to the consultation responses.

4.2 In concluding, the officer states in the committee report:

'The proposal is considered to be acceptable in terms of its layout and design, impact on the general character of the area, amenities for the neighbours, highway safety and council objectives of delivering sustainable development.

The potential environmental impacts of the proposal would not be harmful, subject to the conditions suggested.

The proposal is not considered to give rise to any likely significant effects upon Natura 2000 sites, subject to the proposed mitigation and a planning obligation in this regard.

The proposal is considered to accord with the Local Development Framework policies to be taken into account having regard to all relevant planning considerations.'

4.3 Despite this recommendation, the committee resolved to refuse the application. The vote was 8 for refusal and 6 for approval.

4.4 The first reason for refusal stated that the trees to be lost are of a high amenity value, alongside their significance in terms of combatting air pollution and mitigating climate change. Accordingly, the Council considered their loss would cause significant and demonstrable harm.

4.5 The second reason for refusal stated that the loss of trees would be harmful to the special character and appearance of the Conservation Area.

4.6 Whilst the application was refused, the Council considered that the majority of issues were acceptable. The key areas of agreement have been set out below:

- ***Principle of Development*** – It is agreed that the site is located within the built up area of West Boldon, where there is convenient access to a good level of services and facilities. There is also strong policy support for development that maximises the use of previously developed land. The proposal is in full accordance with the strategic policy requirements.

- ***Open Space/Playing Pitches*** – The LPA recognised that the small area of land to the north of the former school building did not form part of the adjacent playing pitch. When the school was in operation, there were no parking facilities provided to serve the playing pitch, and it was used only by the school (i.e. there was no community use). In contrast, the proposed development includes the provision of a formal public access to the playing pitch and car parking. Sport England therefore raise no objection.

- ***Highways*** – There are no concerns in relation to car parking provision or traffic and road safety.

- ***Drainage*** - Detailed drainage information was submitted as part of the previous planning application, with details of surface water management to deal with 1 in 100 years flood events and climate change. Measures include permeable driveways and underground geo-cellular tanks. There was no objection from the Lead Local Flood Authority or the Environment Agency.

- ***Habitats Regulation Assessment*** – The site is located within the 6km buffer of European Designated Sites. Subject to suitable mitigation, in the form of a financial contribution, the proposals would not have any likely significant effects on the designated sites.

- ***Layout and Appearance*** – The LPA acknowledged that the layout was amended during the consideration of the previous application to allow for the retention of additional trees and additional on-site car parking. The LPA consider that the design of the proposed houses reflects the mix or property types within the wider village, with no one property type dominating.

- ***Residential Amenity*** – The LPA accept that in terms of existing properties that surround the planning application site, the proposed layout and design is not considered to materially harm these neighbouring occupiers in terms of outlook, privacy or overshadowing.

- ***Viability*** – The officer recommendation was to approve the previous application subject to the completion of a legal agreement securing a scheme of replacement tree planting, affordable housing and a financial contribution to mitigate potential impact on European Designated Sites. The LPA officers recognised that the site is highly constrained and that the scheme could not be reduced in terms of dwelling numbers, as it would result in an unviable scheme and would not allow the delivery of the affordable dwellings.

PLANNING POLICY

5.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF)

5.2 The Framework confirms at Paragraph 2 that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Government have confirmed that The Framework is a material planning consideration and should be taken account of when making decisions.

5.3 The Framework places at its heart a *presumption in favour of sustainable development* (Paragraph 11). The objective of sustainable development is;

- *"To meet the needs of the present without compromising the ability of future generations to meet their own needs"*

5.4 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. To do this the planning system has three overarching objectives. The Framework identifies that they are interdependent and should be pursued in a mutually supportive way. This is to ensure that opportunities are taken to secure net gains across each of the different objectives. The three objectives are;

- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- A social objective **–** to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- An environmental objective **–** to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.5 Paragraph 9 identifies that the above objectives should be delivered through the application of the policies in The Framework but *are not criteria against which every decision can or should be judged.* Planning decisions should play an active role in guiding development toward sustainable solutions, but in doing so should take local circumstances into account with decisions begin reflective of;

- The character of each area;
- The needs of each area; and
- The opportunities of each area.

5.6 As a result, there is a clear presumption in favour of sustainable development meaning that development proposals which accord with an up-to-date development plan should be approved without delay or where there are no relevant up-to-date policies granting planning permission (in accordance with Paragraph 11 of The Framework).

5.7 Within The Framework the Government have brought forward the importance of decision making setting out that local planning authorities should approach decision in a positive and creative way; working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area as quickly as possible (Paragraph 47).

Delivering a Sufficient Supply of Homes

5.8 The Framework is committed to supporting the Government's objective of significantly boosting the supply of homes (Paragraph 59). In order to do this The Framework places great importance on the need for both a sufficient amount and variety of land to come forward, where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is development without unnecessary delay.

5.9 The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing (amongst others)).

Promoting Healthy and Safe Communities

5.10 The Framework places emphasis (Paragraph 91) on achieving healthy, inclusive and safe places which;

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;
- Are safe and accessible, so crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and
- Enable and support healthy lifestyles, particularly where this would address identified local health and well-being needs;

5.11 Paragraph 92 states that to provide the social, recreational and cultural facilities and services the community needs, policies and decisions should:

- Plan positively for the provision and use of shared spaces, community facilities and other local services to enhance sustainability of communities and residential environments;
- Take into account and support the delivery of local strategies to improve health, social and cultural well-being;
- Guard against the unnecessary loss of valued facilities and services, particularly if this would reduce the community's ability to meet day-to-day needs;
- Ensure established shops, facilities and services can develop and modernise, and are retained for community benefit; and
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities.

Open Space and Recreation

5.12 Paragraph 96 recognises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision.

5.13 Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current of former use.

Promoting Sustainable Transport

5.14 The NPPF indicates (Paragraph 108) when assessing specific applications it should be ensured that;

- Appropriate opportunities to promote sustainable development can be taken up, given the type and location of development;
- Safe and suitable access can be achieved for all users; and
- Any significant impacts as a result of the development, on the transport network or highway safety, can be cost effectively mitigated.

5.15 Paragraph 109 emphasises development should only be prevented or refused on highways grounds if there is an unacceptable impact on highway safety, or if the residual cumulative impacts would be severe. Within this context Paragraph 110 sets out those applications for development should:

- Give priority to pedestrian and cycle movements within the scheme and neighbouring areas, and as far as possible facilitating access to high quality public transport;
- Address the needs of people with disabilities and reduce mobility in relation to all modes of transport;
- Create safe, secure and attractive places which minimise potential conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards;
- Allow for efficient delivery of goods and access by service and emergency vehicles; and
- Enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Making Effective Use of Land

5.16 The Framework emphasises (Paragraph 117) the need to promote an effective use of land to meet the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.17 Paragraph 118 sets out that in order to make effective use of land planning policies and decisions should:

- Encourage multiple benefits from land, including through mixed use schemes and taking opportunities to achieve net environmental gains;

- Give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- Promote and support the development of under-utilised land and buildings, especially where this would help meet identified needs for housing where land supply is constrained; and

Achieving Well Designed Places

5.18 The NPPF clearly states 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve' (Para 124). It is therefore stated (Para 127) that planning policies and decisions should ensure developments:

- Function well and add to the overall quality of the area over the lifetime of the development;
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- Are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change;
- Establish or maintain a strong sense of place using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and
- Create safe, inclusive and accessible places which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience

5.19 Crucially Paragraph 130 states that 'where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development'.

Conserving and Enhancing the Natural Environment

5.20 The NPPF states (Paragraph 170) planning policies and decisions should contribute and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, site of biodiversity or geological value and soils;

- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution of land instability; and

- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Statutory Development Plan

5.21 The Planning and Compulsory Purchase Act 2004 (Section 38 (6)) requires the determination of planning applications to be in accordance with the Development Plan unless material considerations indicate otherwise.

5.22 The adopted Development Plan comprises the South Tyneside Local Development Framework (LDF) and a portfolio of statutory Development Plan Documents (DPD).

5.23 The following sections and policies in the Local Plan are considered to be of particular relevance to this application.

Strategic policies

- **ST1 Spatial Strategy for South Tyneside** (LDF Core Strategy) sets out the spatial strategy for the development of South Tyneside to ensure that development maximises the community benefits of regeneration including maximising the re-use of previously developed land in built up areas whilst avoiding or minimising environmental impacts and congestion and safeguarding natural and cultural assets.

- **ST2 Sustainable Urban Living** (LDF Core Strategy) promotes the highest standards of design, environmentally sound practices, (including on site generation of renewable energy) and sustainable drainage, gives priority to alternative modes of transport to the private car, addresses the need to design out crime and eliminate the fear of crime and promotes biodiversity interests.

- **SPD1 Sustainable Construction and Development:** requires applicants for certain larger scale or significant schemes to demonstrate the sustainability credentials of their proposals.

Improving accessibility; highway capacity, highway safety

- **A1 Improving Accessibility** (LDF Core Strategy) seeks to support public transport, cycle and walking by ensuring that new developments are easily accessible. Requires transport assessments for major development proposals. Parking standards will apply to new development, as set out in SPD6.

- **DM1 (G, H and I) Management of Development** (LDF Development Management Policies) seeks to ensure acceptable impact (or mitigation) of developments in relation to highway capacity and safety, that convenient and safe routes are facilitated and the needs of all users are considered.

- **SPD6 Parking Standards** identifies that the precise amount of car parking required for a development will be determined by the specific characteristics of the development based on its land use and location and will take into consideration particular circumstances such as capacity of the local highway network, accessibility by sustainable modes and any existing parking issues or problems in the vicinity of the site.

Delivering sustainable communities

- **SC1 Creating Sustainable Urban Areas** (LDF Core Strategy) says that to deliver sustainable communities, development proposals will be focused and promoted within the built up area.

- **SC3 Sustainable Housing Provision** (LDF Core Strategy) manages the phased release of land for new housing developments.

- **SC4 Housing Needs, Mix and Affordability** (LDF Core Strategy) seeks to ensure a range and choice of good quality affordable homes to meet identified housing needs.

- **SC6 Providing for Recreational Open Space, Sport and Leisure** (LDF Core Strategy) seeks to promote the provision of high quality recreational open space, playing fields and outdoor sporting and play facilities.

- **SA7 (A & B) Green Infrastructure and Recreational Opportunities** (LDF Site Specific Allocations) seeks to ensure that all major developments include high quality landscaping with a variety of public open spaces and protect and enhance open spaces in the Borough particularly as part of the linked open space system. The policy also designates the former school playing fields as recreational open space.

- **SPD3 Green Infrastructure Strategy** promotes the provision of high quality recreational open space, playing fields and other sporting and play facilities, including implementing and supporting schemes that protect and improve its quality, quantity and accessibility, remedying deficiencies in open space provision and quality and supporting schemes that extend beyond the borough's Linked Open Space System.

Capitalising on our Environmental Assets/Environmental Protection.

- **EA1 Local Character and Distinctiveness** (LDF Core Strategy) seeks to conserve the best qualities of South Tyneside's built and natural environment

- **EA3** (LDF Core Strategy) relates to Biodiversity and Geodiversity and seeks to optimise conditions for wildlife and maintain, enhance, restore and add to biodiversity and geodiversity conservation interests and enhance the biodiversity value of wildlife corridors.

- **EA5 Environmental Protection** (LDF Core Strategy) seeks to ensure that new development reduces levels of pollution and environmental risk.

- **DM1 Management of Development-** (LDF Development Management Policies) is to ensure that developments are designed and managed in accordance with good practise in relation to Flood Risk, Contamination, Landscaping and other relevant factors.

- **DM6 Heritage Assets and Archaeology** (LDF Development Management Policies) relates to the protection, preservation and enhancement of the Borough's heritage assets and their settings.

- **DM7 Biodiversity and Geodiversity Sites** (LDF Development Management Policies) is to ensure the protection and enhancement of the important environmental assets of the borough.

- **SPD11: West Boldon Conservation Area Management Plan** outlines a number of actions in respect of development within the immediate area of the proposed development including to protect views in and out of the village that contribute to the character and setting of the village.

MAIN ISSUES

6.1 Based upon an assessment of the planning policy and the supporting statements, this section will consider and address the following key issues:

- The Principle of Development;
- Affordable Housing;
- Open Space Assessment;
- Design and Amenity;
- Access and Highways;
- Flood Risk and Drainage; and
- Landscaping, Trees and Hedges

The Principle of Development

6.2 The site is previously developed, located centrally within West Boldon, which relative to the Borough of South Tyneside, is a sustainable location, thereby meeting the requirements of strategic policy ST1. The site is located within the built up area development limits, with policy SC1 establishing that the principle of residential development will be supported. The proposal fully accords with the Development Plan's locational strategy and the in-principle support for the development is clear.

6.3 The adopted housing policies and the supporting evidence base for the emerging Local Plan although not part of the current Development Plan are positively worded and written in a manner that encourages the delivery of much needed housing in order to support the wider strategic objective of the Council to increase the population, meet the demands of the changing demographic and support ambitious plans to improve the economy.

6.4 The proposed development has been formed to reflect the quantitative and qualitative aims of South Tyneside Council in terms of housing delivery. The design is of an excellent standard and the type and mix of dwellings proposed has been informed by an up to date understanding of current demand, meeting the requirements of policy SC4. The mix and type also complements the surrounding development.

6.5 It can be concluded that the principle of development can be fully supported. This view was endorsed by planning officers in determining the previous application.

Affordable Housing

6.6 Policy SC4 requires a minimum of 25% of all new dwellings within the urban fringe village of West Boldon to be affordable.

6.7 The proposed scheme is for 100% affordable housing. The tenure was discussed at length during the consideration of the previous application. The Council's Development Plan recognises that the increased delivery of affordable housing is a key strategic policy for the Council. Several reasons have been identified for generating this need, including the historic loss of social rented homes; the rationalisation of unsuitable social housing properties; the increased number of newly formed households requiring affordable housing; and the difficulty in obtaining mortgage finance.

6.8 The proposal will deliver much needed affordable housing in a very sustainable location, meeting the requirements of Development Plan polices and a key strategic aim for the Council.

This is a significant planning benefit and one that should not be underestimated and be afforded substantial weight in the planning balance.

Open Space

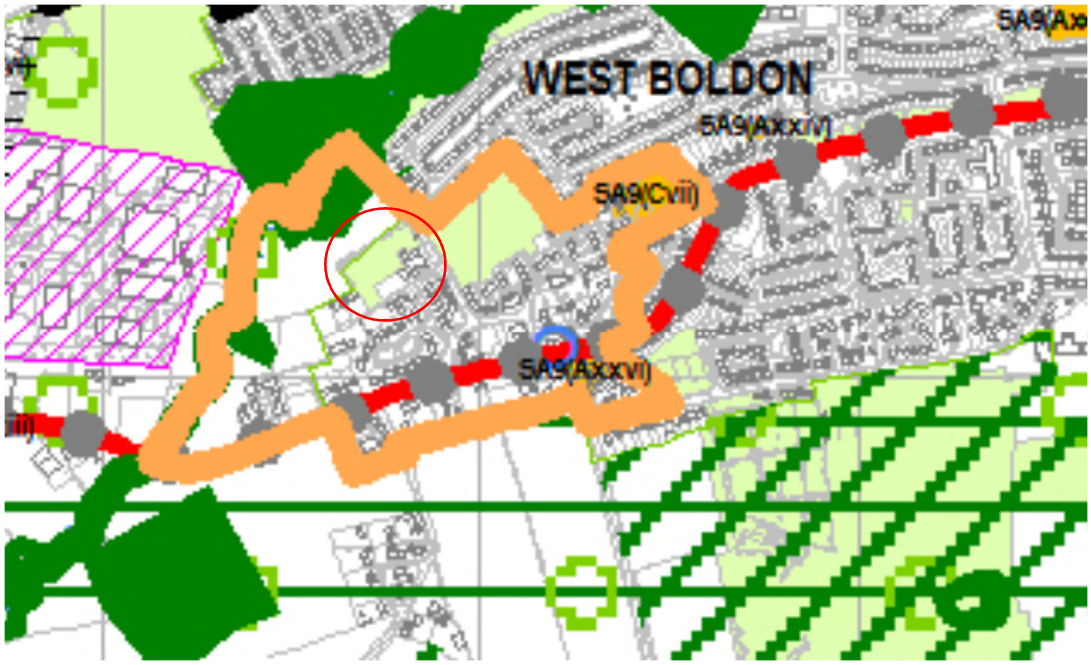
6.9 The development site comprises the previously developed element of the former West Boldon Primary School (SLR ref. BC13a) consisting of the area previously occupied by the school buildings and play yard. The school field (SLR ref: BC13b) sitting immediately to the north is not affected by the current proposals.

6.10 The current playing fields are designated as recreational open space and playing fields in the LDF, they do not form any part of the current development proposals and we would submit that the application accords with the provisions of Policies SC6 and SA7 which are designed to protect and improve quality, quantity and accessibility of open space in the Borough.

Open Space Assessment

6.11 The application site forms part of land associated with the former West Boldon C of E Primary School. The school site includes a brownfield element (the application site), previously the school buildings and yard as well as a green field element which includes a small sized school playing pitch and some ancillary green space.

6.12 The playing pitch is shown on the Local Plan Polices Map as an area of Strategic Recreational Open Space and Playing Fields.



Strategic Recreational Open Spaces and Playing Fields

6.13 As part of the school site the playing pitch was historically used for school activities and therefore in private use. Since the closure and subsequent demolition of the school buildings (circa 2016) the site was secured and no formal public access to the playing pitch has been made available.

6.14 It is acknowledged that there are no facilities associated with the pitch such as parking, changing rooms or toilets however, the pitch represents a good opportunity for the provision of a youth sized football pitch for use by the public and local football teams.

6.15 The development proposals include the provision of a dedicated access to the pitch via a suitably sized vehicular gate that will provide users and maintenance access to the pitch for games. In addition, the applicant proposes the introduction of a formal right of access into the pitch area via the development site. It is considered that this will enhance the playing pitch offer in respect of this site.

6.16 The existing playing pitch area and greenfield element of the school site is approximately 4617m^2 and is a rectangular shaped football pitch with two smaller rectangular areas. One area of approximately 800m^2 to the north east corner and a smaller area of approximately 550m^2 to the south west corner. It is proposed that the north eastern parcel of land be included into the development boundary (see table below).

Extent of Application Site included in Strategic Open space/playing pitch allocation	Extent of existing playing pitch area	Proportion of Designated Open Space/ playing pitch being developed
Approx 800m^2	Approx 4617m^2	Approx 17%

6.17 Current adopted Policy SC6 of the South Tyneside Local Development Framework (2011) sets out the following vision;

'We will promote the provision of high quality recreational open space, playing fields and outdoor sporting and play facilities by:

A- implementing and supporting schemes that will protect and improve the quantity, quality and accessibility of open space and outdoor sports, leisure and children's play facilities throughout the Borough, in accordance with our adopted standards and other relevant legislation;

B - remedying deficiencies in open space provision and quality, including through the reuse of previously-developed 'brownfield' sites, particularly within the Tyne riverside regeneration corridor, the inner-urban areas of South Shields, and Cleadon village;

C - supporting schemes that extend the Borough's strategic Linked Open Space System into the wider countryside, assist the implementation of the Great North Forest's recreational framework, or broaden the range of opportunities for recreational pursuits within the Great North Forest and the River Tyne and coastal corridors.'

6.18 In support of Policy SC6 is Supplementary Planning Guidance (SPD 3) Green Infrastructure Strategy 2013 however, the evidence sitting behind this document has been superseded by more recent evidence, discussed below.

6.19 South Tyneside is currently in the process of formulating a new Local Plan and as part of that process there are a number of evidence base documents that provide more up to date information particularly in relation to playing pitch strategy and open space.

6.20 The Local Plan policies map (2012) highlights the existing school playing pitch as an area of "*Strategic Open Space/ Playing Pitch*." This allocation pre-dates the closure and subsequent demolition of the school and therefore also pre-dates the loss of access to the playing pitch. Indeed, the Council commissioned Playing Pitch Assessment and Open Space Assessments (2015) do not reference this specific playing pitch.

6.21 The South Tyneside Open Space Assessment Report (2015) and other supporting reports including South Tyneside Playing Pitch Strategy (2015) will provide the basis for, and sets out in draft, strategies to support the protection of valuable public green spaces and, based on a review of minimum standards, inform the case for new provision or for rationalisation where appropriate.

6.22 The application site is not assessed within the current evidence base and is therefore not included in the calculation of supply with regards to pitch provision. There is no publically available data in relation to the current use of the pitch.

6.23 The most recent Google Earth images dating from 21st April 2018 show pitch markings delineating a "*mini pitch*" of approx. 46m x 34m, previous images dating back to 2001 demonstrate that the site pitch was not "marked up" and therefore was unlikely to be in community use.

6.24 Sport England Guidance sets out the following criteria in terms of pitch size;

Pitch size guidance					
Age	Format (maximum format but can play smaller numbers)	FA recommended pitch size (metres)	Pitch size (metres) guidelines	Maximum Goal Size (feet)	Pitch size (yards)
U7	5 v 5	37x27	27x18 to 37x27	12 x 6	30x20 to 40x30
U8	5 v 5	37x27	27x18 to 37x27	12 x 6	30x20 to 40x30
U9	7 v 7	55x37	46x27 to 55x37	12 x 6	50x30 to 60x40
U10	7 v 7	55x37	46x27 to 55x37	12 x 6	50x30 to 60x40
U11	9 v 9 (Primary Schools 7 v 7)	73x46 55x37	64x37 to 73x46 46x27 to 55x37	16 x 7 to 21 x 7 (12 x 6)	70x40 to 80x50 (50x30 to 60x40)
U12	9 v 9	73x46	64x37 to 73x46	16 x 7 to 21 x 7	70x40 to 80x50
U13	9 v 9 or 11 v 11	91x55	82x46 to 91x55	21 x 7 to 24 x 8	90x50 to 100x60
U14	9 v 9 or 11 v 11	91x55	82x46 to 91x55	21 x 7 to 24 x 8	90x50 to 100x60
U15	9 v 9 or 11 v 11	100x64	82x46 to 100x64	24 x 8	90x50 to 110x70
U16	9 v 9 or 11 v 11	100x64	82x46 to 100x64	24 x 8	90x50 to 110x70
U17	11 v 11	100x64	82x46 to 100x64	24 x 8	90x50 to 110x70
U18 / Adults	11 v 11	100x64	82x46 to 100x64	24 x 8	90x50 to 110x70

6.25 The Sport England Quality Assessment guide suggests that pitches should adhere to the FA recommended pitch size to score "*good*" in the assessment. On this basis the site would only be suitable for U8 5v5 games.

6.26 South Tyneside Playing Pitch Strategy (2015) states that;

6.27 Currently 16 teams play 7v7 and 48 teams play 5v5. Additional exported demand of eight 5v5 teams and 20 7v7 teams could not therefore be accommodated. However, if the imported demand was also removed, demand could be accommodated, see below.

Mini football venues providing for South Tyneside teams only

6.28 If all mini teams began playing in their home local authority, imported demand of 19 mini 5v5 teams and eight mini 7v7 teams would stop playing in South Tyneside; displaced demand totalling eight mini 5v5 teams and 20 mini 7v7 teams would begin playing within South Tyneside.

6.29 Overall, this would result in there being 37 mini 5v5 teams and 28 mini 7v7 teams, which could be accommodated at venues already in existence and leave spare capacity for growth.

6.30 Acknowledging that the subject site is not included in the assessment, it would seem that based upon the assessment the mini 5v5 teams could be accommodated within the existing pitches if teams coming into South Tyneside to use the mini pitches were to be accommodated within their own Local Authority areas.

6.31 The report goes on to confirm that in the southern area;

- Spare capacity exists overall on adult pitches both now and in the future, however, overplay exists at Boldon School and Whitburn C of E Academy.
- There is an undersupply of youth 11v11 pitches and youth 9v9 pitches amounting to 0.5 and two match equivalents respectively.
- No mini football occurs in the Analysis Area due to central venues being used elsewhere.
- There are 16 youth 11v11 teams playing on adult pitches.

6.32 The fact that the application seeks to formalise to the use of the pitch and provide a betterment in terms of parking provision and formal access rights means that there will be additional capacity within South Tyneside.

6.33 Paragraph 97 of the NPPF states that; *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*

6.34 The Council's latest Open Space Assessment has been undertaken does not include an assessment the subject site. The small size of the site and in particular the pitch area means that in accordance with both Sport England and FA guidance the site is only suitable for U8 5v5 football. In this regard, the latest assessment concludes that 5v5 games could be accommodated within the existing pitch offer.

6.35 The application proposes the loss of 800m^2 of open space/playing pitch. This area will provide access and parking for playing pitch but also for the proposed residential development. The loss of this area will not be detrimental to the use of the pitch. Indeed, the introduction of a formal access and the availability of parking for users of the pitch will provide a betterment.

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

6.36 The loss of a small area of the open space associated with the playing pitch will facilitate the construction of an access and parking for use by patrons of the pitch. It will therefore provide a better provision in terms of quality and quantity.

- *(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*

6.37 The proposed development will provide 16no. much needed affordable family homes. In addition, it will bring into use a mini pitch with an access constructed to adoptable standards as well as some dedicated parking for pitch users. There are numerous economic and community benefits associated with this development which outweigh the dis-benefits associated with the loss of 800m^2 of private open space

6.38 Based on the above findings, it can be concluded that the criteria set out within Paragraph 97 of the NPPF are met, in that the loss of the small parcel of land will not result in a current or likely shortfall in the plan period.

6.39 It is also worth exploring the impact in qualitative terms. Having viewed the parcel of land and its relationship with the wider extent of open space and indeed the provision available within the vicinity, it is apparent that its value is limited. This is due to its relatively narrow shape and position on the edge of the pitch area. As with most areas of open space, it does offer some benefits, notably a pedestrian link into the wider pitch area some visual amenity, both to passers-by and local residents. However, its visual quality is low and there are no on-site facilities, alongside an identified over provision of this space in the wider designation, which is in a more usable size and shape.

6.40 Therefore, its loss will not be detrimental in either quantitative or qualitative terms.

6.41 The proposed development will include also maintain a publicly accessible link through the new development to the playing pitch, providing a dedicated vehicular access and parking spaces for use by patrons of the pitch. At present, there is no adoptable access road nor is there any parking or facilities of any kind associated with the pitch.

6.42 It can therefore be concluded that the development meets the requirements of the relevant open spaces policies and guidance alongside the provisions of the NPPF. This view was endorsed by planning officers and Sport England in forming their recommendation for the previous application.

Design and Amenity

6.43 In line with Policy DM1 (a) the proposal has been developed to complement the existing residential area with specific regard to the Conservation Area, it is intended that the proposed dwellings will consist of a conventional materials palette appropriate for a residential development of this type.

6.44 Proposed materials are detailed within the accompanying technical drawings but consist of contrasting coloured facing brickwork with neutral-coloured rendered and cladding panels to part elevations and pitched tiled roofs. Features such as stepped roof lines and irregular footprints are proposed to enhance the appearance of the proposed streetscape.

6.45 The layout of the site plan is a response to the site constraints and the surrounding residential uses and was informed by the marketing particulars.

6.46 Key points are:-

- The site is accessed from North Road – one of the main through ways within the immediate area.
- Housing around a logical adopted road with private drives serving periphery housing units.
- Provision of in-curtilage parking to each dwelling as required to meet South Tyneside Borough Council highway standards.
- Provision of front and rear gardens; with rear gardens enclosed for privacy.

6.47 Further detail with regards to the evolution of the proposed design is contained within the Design and Access Statement.

Access and Highways

6.48 In determining the previous application, the local highway authority confirmed that there are no concerns in relation to car parking provision or traffic and road safety.

Flood Risk and Drainage

6.49 The Environment Agency's flood risk map confirms that the site is located within Flood Zone 1, which is the lowest probability of flooding. The proposed site area is below 1 hectare, so a flood risk assessment has not been undertaken however, a full drainage strategy is included in the submission package.

6.50 Detailed drainage information was submitted as part of the original planning application, with details of surface water management to deal with 1 in 100 years flood events and climate change. Measures include permeable driveways and underground geo-cellular tanks. There was no objection from the Lead Local Flood Authority or the Environment Agency. This information has been adapted for the 14 dwelling scheme, however the principles remain unchanged.

Landscaping, Trees and Hedges

6.51 The site sits entirely within the West Boldon Conservation Area. Policy DM1 (C) looks to protect existing soft landscaping including trees and hedging or to provide replacement planting where possible.

6.52 There are a number of trees on site and the accompanying Tree Survey/Constraints report provides further detail of their quality and condition. Whilst it is acknowledged that the preferred option is to retain as many trees as possible in line with DM1 (c) there is, in this case a conflict between the ability to develop the site and the retention of the trees.

6.53 The development of the site is restricted to the brownfield elements which consist of the footprint of the former school buildings and the play yard. As such the development area is relatively small (0.39ha). In order to maximise the available area whilst maintaining a suitable standard of design in terms of dwelling size and external spatial standards there is a need to remove some trees. The previously refused scheme proposed to remove a total of 14 trees along the eastern boundary, whilst retaining the trees along the northern boundary, which contains the majority of the high quality A trees.

6.54 Despite this, the scheme was refused, primarily due to the perceived impact resulting from the loss of trees. As part of the pending appeal, the applicant commissioned their heritage consultant to further review the impact. Their assessment identifies that the overarching character of the Conservation Area is described in the West Boldon Conservation Area Appraisal. This states: 'The conservation area is based on the historic hilltop settlement and includes open countryside below to the north and west which is important to its setting. Further reference is given to the need to protect the long distant views from the hill over open countryside, and the need to protect the 'grassy hillside setting' to the north.

6.55 The heritage consultant goes on to identify that the trees along the eastern boundary do not have a relationship with the landscape/countryside to the north, nor do they play an important role in the special character of the Conservation Area. They conclude that the development, including the removal of the trees, does not impinge on the special characteristics of the Conservation Area.

6.56 However, in order to further address the Council's reasons for refusing the previous application, the removal of two dwellings from the proposed scheme allows for the retention of additional trees, which now means that no category A trees will be lost.

6.57 The supporting reports also set out how mitigation can be incorporated into the scheme, including the introduction of a species rich native hedgerow to form the boundary to the site, and the provision of fruit trees. Further biodiversity enhancements will include bat roosting opportunities and bird boxes within the development.

CONCLUSION

7.1 The planning application documentation demonstrates that the proposed development is a form of sustainable development and is in accordance with the development plan. The scheme will deliver affordable housing in a highly sustainable location with excellent links to a range of services and facilities.

7.2 The delivery of 100% affordable housing is a significant planning benefit and should be afforded substantial weight in the planning balance. However, the scheme is not solely reliant on this factor. The applicant has a strong record of delivering high quality developments in South Tyneside and throughout the North East, which reflects and exceeds the design requirements of planning policy.

7.3 The site is also located in a sustainable location with good links to a range of services and facilities, and includes the re-use of previously developed land, which is strongly encouraged by planning policy. The scheme will also open up the use of the playing field to community use and include the provision of a formal public access and car parking.

7.4 All these factors were accepted by the LPA's officers in their recommendation to approve the previous application. This current scheme has reduced the number of dwellings proposed, which allows the scheme to directly address the previous reasons for refusal, most notably the retention of additional trees, including all category A trees.

7.5 The impacts of the development are limited and have been carefully considered. An assessment has been undertaken and mitigation has been identified in the supporting reports, including biodiversity enhancements.

7.6 For these reasons the planning balance weighs heavily in favour of the proposed development. The scheme will make a significant contribution to the supply of affordable housing in an area where there is identified need; and there would be no adverse impacts on the environment.

7.7 Consequently, it has been demonstrated that the proposed development complies with the requirements of the Development Plan and it is respectfully requested that the application is approved.

APPENDIX 1

ST/1087/18/FUL - Committee Report

02

Application Number: ST/1087/18/FUL

Date Received: 04/12/2018
Application Date: 04/12/2018

Applicant's Name and Address	**Agent's Name and Address**
Karbon Homes Mr. Lea Smith Gus Robinson House Stranton House West View Road Hartlepool TS24 0BW	George F White Ms Julie Hunter 8 Front Street Wolsingham Durham DL13 3AA

LOCATION **Vacant Formerly Boldon CE Primary School**
Rectory Bank
North Road
West Boldon
NE36 0QG

PROPOSAL 16 no. residential dwellings, associated access, infrastructure and landscaping

RECOMMENDATION: Minded to Grant Permission subject to:

1) The Head of Legal Services being authorised to secure a planning obligation that would seek;

- To secure a scheme of replacement tree planting off-site within the West Boldon area
- To ensure that 25% of the development is allocated for affordable housing, and
- To secure a planning obligation that would provide a financial contribution to mitigate the potential impact on the Northumbria Coast Special Protection Area and/or Durham Coast Special Area of Conservation, through increased visitor numbers, as a result of the development referred to at paragraphs 3.85 – 3.90 of this report, and

2) The Head of Development Services being authorised:

- To issue the planning permission on completion of the planning obligation, subject to the recommended planning conditions (and subject to any minor typographical or similar amendments to the suggested conditions, if necessary).

subject to the following condition(s):

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Drg no. (00)300 rev U received 12/04/2019
Drg no. (90)310 rev I received 12/04/2019
Drg no. 006-01 rev C received 08/05/2019
Drg no. (00)350 rev H received 03/05/2019
Drg no. (00)305 rev N received 08/05/2019
Drg no. (00)600 rev E received 12/04/2019
Drg no. 003-01 rev 0 received 11/04/2019
Drg no. (00)510 rev D received 12/04/2019
Drg no. (00)310 rev E received 12/04/2019
Street Section A-A received 12/04/2019
Drg no. (00)360 rev A received 12/04/2019
Drg no. (00)340 rev E received 12/04/2019
Drg no. (00)320 rev D received 12/04/2019
Drg no. (00)370 received 12/04/2019
Drg no. (00)355 received 26/04/2019
Drg no. 007-01 rev D received 08/05/2019

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

Drainage

3 The hereby approved development shall be completed in accordance with the drainage scheme contained within Drg no. 003-01 received 11/4/2019 entitled 'Engineering Layout. The drainage scheme shall ensure that foul and surface water flows discharge to the combined sewer downstream of manhole 8101 with surface water being restricted to 3.7l/sec.

To ensure the discharge of surface/foul water from the site does not increase the risk of flooding in accordance with Policies DM1 and ST2 of the South Tyneside Local Development Framework.

Sustainable Drainage - construction

4 None of the dwellings hereby permitted shall be occupied until (a) The approved sustainable drainage system (geo-cellular tank and permeable driveways) shown on Drawing Number 000-02 Rev A (Drainage Strategy Layout), typical details drawing no 005-03 (Aqua-cell typical details) and drawing no 005-04 (Private drainage and permeable Paving construction typical details) have been completed on site in accordance with the approved details and (b) A verification report has been submitted to and approved in writing by the Local Planning Authority evidencing the completion of the approved sustainable drainage system (geo-cellular tank and permeable driveways), the contents of which is to include amongst other things methodology of installation, evidence of depths and dimensions and supporting images from installation).

To ensure the discharge of surface water from the site does not increase the risk of flooding in accordance with Policies ST2 and DM1 of the South Tyneside Local Development Framework.

Sustainable Drainage – management and maintenance

5 Prior to the occupation of the first dwelling (or other such time period as agreed in writing by the Local Planning Authority pursuant to this condition) a detailed management and maintenance plan for the lifetime of the approved sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then coincide with the first occupation of the hereby approved development (or other such time period as agreed in writing by the Local Planning Authority pursuant to this condition).

To ensure the discharge of surface water from the site does not increase the risk of flooding in accordance with Policies ST2 and DM1 of the South Tyneside Local Development Framework.

Verification report

6 Following completion of measures identified in the approved remediation statement 'West Boldon School Site Remediation Statement' produced by Gus Robinson Developments Ltd received 08/03/2019, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the site being occupied.

To ensure that remediation around the garden area of plot 13 is undertaken and no contamination is brought to site ensuring that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with Policies DM1 and EA5 of the South Tyneside Local Development Framework.

Unexpected contamination

7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Sufficient detail should be provided identifying how the unexpected contamination will be dealt with.

Development shall be carried out in accordance with the approved details.

To ensure that risks from land contamination to the future users of the development site and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with Policies DM1 and EA5 of the South Tyneside Local Development Framework.

Highway works / off site highway works

8 Prior to any works commencing on site, a phasing plan and associated details for the construction of the following works shall be submitted to and agreed in writing by the local planning authority:

i) The repositioning of the off-site pedestrian guard railings adjacent to the site and within the adopted public footway in accordance with Drg no. (00)305 rev N received 08/05/2019,
ii) The construction of the access road to serve the new housing development as shown on Drg no. (00)300 rev U received 12/04/2019, and
iii) The repositioning of the off-site uncontrolled pedestrian crossing to North Road as

detailed on Drg no 006-01 rev C received 08/05/2019.

The development shall then be undertaken in accordance with the approved details.

To secure the completion of these off site highway works, in the interests of safeguarding highway safety in accordance with adopted South Tyneside Local Development Framework Policy DM1 (G).

9 Prior to the commencement of development a phasing plan and associated details to provide pedestrian and playing pitch maintenance vehicle access for the existing playing pitch through the application site during construction works shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure a satisfactory and safe means of continued access to the playing pitch during the construction period for pedestrian and playing pitch maintenance vehicles, in accordance with policy SC6 of the South Tyneside Local Development Framework.

Residential amenity

10 No construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Friday and 8am - 1pm Saturdays and no such works or deliveries shall be carried out at any time on Sundays or Public Holidays.

To safeguard the amenity of the nearby residents in accordance Policy DM1 of the South Tyneside Local Development Framework.

Boundary treatments, means of enclosure and access

11 Notwithstanding the provisions of Article 3 and Class A of Part 2 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the front curtilage of the dwellings facing North Road (plots 1-10, as detailed on Drg no. (00)300 rev U received 12/04/2019) without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

To maintain control over any future harmful boundary treatment works that may have otherwise benefitted from permitted development, in the interests of safeguarding both the character and appearance of West Boldon Conservation Area in accordance with Policies DM1 and DM6 of the Local Development Framework.

12 The hereby approved works to create the pedestrian openings and the infilling works to the existing magnesium limestone boundary walls to the eastern and southern boundaries shall only be carried out using salvaged magnesium limestone from the existing wall, as shown on Drg no. (00)305 rev N received 08/05/2019 and Drg no. (00)600 rev E received 12/04/2019. Any imported stone shall not be used without the prior written approval of the Local Planning Authority. The development shall be completed in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6.

13 The detailed design and dimensions of the new gates providing access to the existing playing pitch shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be completed on site prior to the first occupation of the hereby approved scheme and the location of the gates shall accord with the approved details provided on Drg no.(00)305 rev N received 08/05/2019.

To ensure a satisfactory standard of development and in the interests of visual amenity and to maintain pedestrian and playing pitch maintenance vehicle access to the existing playing pitch in accordance with Development Management Policy DM1 and policy SC6 of the South Tyneside Local Development Framework.

Car parking

14 Prior to occupation of the first dwelling hereby approved the seven car parking spaces to serve the users of the adjacent playing pitch as shown on Drg no. (00)355 received 26/04/2019, shall be completed on site in accordance with these submitted details unless a phasing plan to secure their completion on site has otherwise been agreed in writing by the Local Planning Authority pursuant to this condition. These pitch parking spaces shall then be maintained henceforth for their designated purpose.

To ensure that there is adequate car parking for the existing playing pitch in the interests of highway safety in accordance with policies DM1, A1 and SC6 of the South Tyneside Local Development Framework.

15 Prior to the commencement of development a physical barrier separating the application site from the existing playing pitch (such as Herras fencing or similar) to maintain both pedestrian and playing pitch maintenance vehicle access to the existing playing pitch and to provide a temporary means of enclosure along the western and north western boundaries of the application site shall be erected and maintained during the whole construction period.

In the interests of health and safety and to safeguard the playing surface of the pitch from damage during the construction phases of the development, in accordance with policy SC6 of the South Tyneside Local Development Framework.

Ground levels

16 The development shall be carried out in accordance with the proposed ground levels, finished floor levels and ridge heights shown on Drg no. (90)310 rev I, received 12/04/2019, Drg no. (00)510 rev D, received 12/04/2019, and Street Section A-A received 12/04/2019. Unless alternatives have been previously submitted to and agreed in wiring by the Local planning Authority pursuant to this condition and development is then carried out in accordance with them.

To safeguard the amenities of the occupiers of existing neighbouring dwellings and in the interest of visual amenity in accordance with Policies DM1 and DM6 of the South Tyneside Local Development Framework.

Materials and surface treatments

17 Notwithstanding the details submitted, prior to the commencement of the development samples and details of all external materials for the dwellings hereby approved, shall be submitted to the local planning authority and approved in writing. All works shall be

carried out in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6.

18 Prior to works commencing on the hereby approved playing pitch parking spaces (numbered 5, 6 and 7 on Drg no. (00)355 received 26/4/2019) details of the proposed surface treatment for these parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be carried out in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6.

Trees

19 No works shall be undertaken and no plant, machinery or building materials shall be brought to site until detailed tree protection measures and special construction measures in accordance with BS5387 'Trees in Relation to design, demolition and construction' 2012, and NJUG guidelines for the retained trees adjacent to the northern boundary of the site (numbered: T24 - T31 within the Arboricultural Impact Assessment report dated April 2019 and Drg no. ARB/CP/1993/RRP received 12/04/2019) have been approved in writing by the Local Planning Authority. The development must then be undertaken on site in strict accordance with the approved details and the protective barriers and ground protection measures shall be maintained in position and in good order during the whole period of construction works on site.

To ensure that existing trees within and adjacent to the site, several of which are the subject of a Tree Preservation Order, are adequately protected during the period of construction works and to safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6 and EA1.

Landscaping

20 Notwithstanding the indicative details shown on drawing number (00)350 rev J received 26/04/2019 and Drg no. 006-01 rev C received 08/05/2019, before the first occupation of any dwelling hereby permitted, a detailed soft landscaping planting plan/specification including a phasing plan to secure the completion of the proposed soft landscaping, the type, height, species and location of any new trees and shrubs as well as any proposed seeding or turfing, topsoil depths and planting specification shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Any trees or plants, which within a period of 5 years of planting, die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species not later than the next planting season after the loss or damage has occurred (unless otherwise agreed in writing by the Local Planning Authority).

To safeguard the character and appearance of the West Boldon Conservation Area in ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

21 Before the first occupation of any dwelling hereby permitted, details for the landscape management and maintenance of the soft landscaping scheme approved under condition 20 shall be submitted to and approved in writing by the Local Planning Authority and subsequently carried out in accordance with the approved details for the lifetime of the development.

To safeguard the character and appearance of the West Boldon Conservation Area in ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

External lighting

22 Before the first occupation of any dwelling hereby permitted, full details (including a phasing plan to secure its completion on site, drawings and/or specifications) of the proposed external lighting to serve the entire development shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the approved details.

In the interests of both visual and residential amenity in accordance with Policy DM1 of the South Tyneside Local Development Framework.

Bird Boxes

23 Prior to the commencement of development above ground level, details of the type, size and location of 4 no bird boxes along with a phasing plan to secure their completion on site shall be submitted to and approved in writing by the Local Planning Authority. The approved details must then be completed on site.

In accordance with the recommendations of the applicant's Ecological Survey received 26/02/2019 and to retain nesting sites for birds in accordance with Local Development Framework, Core Strategy policy EA3 and Development Management policy DM7.

SUMMARY OF NEIGHBOUR REPRESENTATIONS:

Objection

Oakville, 3 Don Gardens, West Boldon (x2)
Coach House, 5 Don Gardens, West Boldon
7 Rectory Bank, West Boldon
1 Rectory Green, West Boldon (x2)
17 Rectory Green, West Boldon

All of the issues raised are summarised in the body of the report

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REASON FOR PRESENTATION TO PLANNING COMMITTEE

This application is brought to the committee for determination because it is a ‘major’ application.

1.0 The Proposal

1.1 Planning permission is sought for the redevelopment of the former Boldon Church of England Primary School, North Road, West Boldon for 16 residential dwellings, including infrastructure and landscaping.

1.2 The application site (0.39ha) is located on North Road, at the junction with Don Gardens. The site, an 'L' shape is predominantly previously developed (brownfield land), comprising the footprint of the former school building and hard surfaced areas. The site also includes for an area of land to the north of the old school building, which is grassed and allocated as recreational open space / playing field. Planning permission for relevant demolition in a conservation area (application reference ST/0076/17/RDCA) was granted consent on 06/04/2017 and the school building has been subsequently demolished. The school use ceased circa 2009. Adjacent to the application site is allocated recreational open space / playing field, which formed part of the wider school site. This land, marked out for a mini soccer playing pitch, falls outside the application site boundary. The application proposes to create a means of access for both pedestrian and maintenance vehicles, install a perimeter boundary fence between the application site and playing pitch and to provide parking within the application site boundary for visiting members of the public / users of the playing pitch.

1.3 The site is located within the boundaries of the West Boldon Conservation Area. The site is bounded to the north by pasture fields with the River Don located approximately 80metres to the north, to the west and south by existing residential dwellings, accessed from Don Lane and to the east by North Road. The village core of West Boldon is positioned to the south and east, which itself is located within the linked settlements of Boldon and East Boldon, which include a range of services, facilities and public transport.

1.4 The proposed dwellings would be a mix of 3 and 4 bed homes comprising ten no. 3 bed homes of three different property types, and six no. 4 bed family homes, of two differing property types. Two of these 4 bed units would be detached houses, the remaining houses would all be semi-detached. Ten semi-detached properties (in 5 pairs) would be located along the eastern boundary fronting onto North Road, and the remaining properties would be located to the west of the site comprising 2 detached properties and a short length of 4 semi-detached dwellings facing into the development site.

1.5 The development proposes the delivery of 100% affordable housing. The applicant has advised that this is a part funded product (by Homes England) whereby home owners rent the property at an affordable rent with the opportunity to purchase at a later date (a rent to buy scheme).

1.6 In addition to the application form and plans, the following documents were also submitted in support of the application:

- Planning Statement incorporating Affordable housing statement and open space assessment
- Sustainability Statement
- Heritage Statement
- Design and access statement
- Statement of Community Involvement

- Flood Risk Assessment
- Drainage Strategy and Maintenance schedule
- Ecological Survey
- Phase 1 Desk Top Survey and Phase 2 Ground Investigation Report
- Post demolition ground investigation report
- Ground Gas Risk Assessment
- Arboricultural Impact Assessment, Tree Constraints Assessment and Tree Report
- Ecology report – including Habitat Regulations Assessment – Screening Opinion Report.
- Draft Heads of terms (Section 106 Agreement).

1.7 The site, although comprising predominantly brownfield land, does include an area of amenity grassland to the north of the former school buildings and hard playing surface (school yard area) which is allocated within the South Tyneside Local Development Framework, Site Specific Allocations as recreational open space. As such, the application has been advertised as a departure application.

1.8 Vehicular access to the site would be from North Road, creating a new access to the site at the northern end of the eastern boundary. The former entrance to the school site, located further south on North Road would be removed and the existing retained boundary wall would be extended across the current opening. Pedestrian footways are proposed adjacent to the vehicle access which would link into the existing public footpath network in the area. The development of the new access to the site would require the removal of an existing (but unused) bus shelter located on North Road. Further highway works, including radius improvements at the junction with Don Gardens are also proposed.

1.9 A significant number of trees within the site (some of which have recently been included within a Tree Preservation Order) would be removed to accommodate the development. Landscaping, including tree planting (replacement tree planting) forms part of the proposals.

1.10 A scheme of surface water drainage has been submitted. The surface water drainage will consist of permeable paved driveways with geo-cellular tank which would deal with a 1 in 100 year event.

1.11 The application is located within the 6km buffer zone of the Durham Coast Special Area of Conservation (SAC) designated under the European Habitats Directive and the Northumbria Coast Special Protection Area (SPA) designated under the European Birds Directive. These areas are also part of the Northumbria Coast Ramsar Site and are notified at national level as the Durham Coast Site of Special Scientific Interest (SSSI). European designated sites are afforded protection under the Conservation of Habitat and Species Regulations 2010.

1.12 Through the assessment of the planning application the proposals have been amended to address representations received and issues arising from the assessment of the initial development proposed. To summarise, the proposed development has been amended through changes to the proposed house types, layout, height of dwellings, vehicle access to the site, access gate location to the playing field, increased visitor parking to the residential dwellings and for users of the playing pitch, retention of trees within the site (northern boundary), boundary enclosure and material details.

1.13 Plan 1 appended to this report shows the site's location. Plan 2 shows the proposed site layout , Plan 3 provide two proposed street scene elevations and Plan 4 shows the trees to be removed with the red dots and the trees to be retained with the green dots. Plans 5 to 9 show the house types, Plan 10 shows the seven parking spaces (highlighted green) for users of the adjacent playing pitch and Plan 11 detailing the Tree Preservation Order.

2.0 Responses to Publicity and Consultations

Neighbour Notification Responses

2.1 In terms of publicising the planning application, neighbour notification letters were sent, site notices were erected and the application has also been advertised in the local press.

2.2 In response to the proposal as originally submitted, the following representations were received:

1 Rectory Green, West Boldon

- Object to the erection of 3 storey dwellings in this semi-rural location. No buildings of this height above ground level in West Boldon (including the Church Spire) and will affect the skyline of the area from many viewpoints. Buildings of this height would not be in keeping with other residential areas in the village.
- Insufficient consideration has been given to the access to the football field. A small gate and the access to it could potentially limit grounds keeping equipment.
- Concern on the effects on parking in the area on days the sports field is in use, 15 to 30 cars currently park on the roadside. Currently these park along the roadside on North Road.
- Community involvement has been zero despite the documentation stating that a letter drop to local residents would be undertaken.

3 Don Gardens, West Boldon

- Disagree with the plans for the building of 16 properties in front of their property which will devalue the property, give total loss of the right of privacy to them on a private road, noise from residents, cars etc, and also the height of buildings will prove the restrict external preserved views of land.
- The plans are totally inconsiderate of private residents living close by. Bungalows would have been more suitable to the area with age restriction or retirement private dwelling properties as there are in Cleadon.
- The plans are obsurd and inconsiderate to remove the right to live in a quiet private lifestyle.

7 Rectory Bank, West Boldon

- Questions raised about plots 9/10 in respect of impact on 7 Rectory Bank, height of properties, levels and any proposals to raise levels, window locations, separation distances and retaining wall and loss of trees. Depending upon the details of the proposal, including levels the following concerns have been expressed:
    - Loss of light
    - Loss of privacy and overlooking
    - Loss of a view with trees
    - Any raising of land levels would exacerbate the above issues

- Removal of 30 trees from the site seems excessive and reference to protection of trees through TPO and location of site in a conservation area.
- The increase of vehicles to North Road which is already an extremely busy road with cars, buses and lorries.
- Should permission be granted would restrictions be put in place on the developers/ builders with regard to working times and the parking of trucks and construction workers cars. An on-site car park would be the solution.

17 Rectory Green, West Boldon

- Concerned about the lack of landscaping in the new development.
- Many of the existing trees on the site are going to be removed. A serious matter in view of the role trees play in helping to reduce climate change. The Council have a long standing policy on tree preservation particularly in conservation areas and have in fact stipulated in the past that felled trees are replaced with new trees. I presume this will continue. Thoughtful planning can provide new homes with trees and spaces which are beautiful giving more people access to nature.
- Applaud decision to retain a community sports field. It is in the national interest to educate children in the value of exercise in helping to reduce childhood obesity and improve children's health.

Coach House, 5 Don Gardens

- Although some development of the site could be an improvement on what is currently in place, believe it should be in keeping with the current open space aspect of the area. The development is not in keeping, especially the 3 storey elements on plan. The building of low level homes on existing land would be much more in keeping with the current open aspect.
- Mention made to the stone wall that forms the east boundary, but similar wall on the south boundary is not mentioned, which forms part of the structure of the road along Don Gardens. Northern edge of this road houses a gas main, water main and underground electricity supply from the telegraph poles to numbers 3 and 5 and it is critically important that this is preserved in its current structure. The wall is not owned by any residents and was owned and maintained by the C of E Diocese and is presumably owned by the organisation who have bought the site. How will the ongoing conservation and integrity of the wall be managed? Will sections of the wall be owned by households, or will there be a communal ownership? How will the 'rent to buy' process affect this?
- A large Ash tree opposite no. 5 is badly in need of pruning, severe pruning on the south of the main trunk by the electricity grid service companies has resulted in all growth to the north side, with all weight on the prevailing leeward side. The roots will be underneath the service pipes increasing the risk of high winds causing the tree to fall with disastrous consequences to the infrastructure. Not advocating removal or replacement, just some corrective pruning.
- There seems to be a planned severe reduction in the number of trees on the site. These trees and shrubs provide an important wildlife corridor for local fauna moving to and from the Don Valley to the surrounding area as well as a feeding and roosting area for many species of birds, (note list of species provided).
- The trees provide considerable amenity value.

- Only 5 visitor parking spaces are being provided. The road between Don Gardens will be convenient for overspill. This would be a problem as when turning left from Don Gardens vehicles would have to swing out onto the opposite side of the road. North Road is generally a fairly busy road and at times a very busy road. The limited parking on the site will mean that there will be an overspill on to North Road. What measures will be put in place to manage the increase in traffic and the obstacles of parked cars on a busy road? and what controls will be in place to ensure site workers will park considerately?
- The school was built on the site of the old Boldon Slaughter house, so there may be considerable organic debris underneath the current foundations.
- When the school, was built the land contour was altered by levelling the land up to the south perimeter but there is still considerable variation across the site. What is the expected base level of the site to be and as a result how high above the current ground level will be proposed buildings be?
- Object to the building of the three storey houses (plots 13-16). The gable end is directly opposite our drive and will severely curtail the current open aspect of the area and is contrary to all other developments that have taken place in the area.

West Boldon Residents Association

- Previously the site had contained a single storey school building, but the plans include two and three storey houses. Also plans expressed possible need to infill the site and hence raise the level of the site, thereby increasing the height of the houses.
- Questioned the height of the wall to Don Gardens.
- Trees – plans to have 30 of the 37 trees removed – the lungs of the area – this is a conservation area, and the Association has met the Tree Department a number of times over concerns about having trees cut down/trimmed, yet here we have a situation where a large number of trees are to be removed.
- Where will the 37 trees be replanted?
- Parking – 22 car parking spaces for 16 houses (although four houses have integral garages) and statistics show each house could have two or three cars each which will most probably result in cars parked on rectory Bank, which is already a busy road. Recent building in the area has highlighted the need for sufficient parking spaces on site.
- Will these social housing be purchased by individuals who will then rent these out as has happened recently in our locality.
- What arrangements have the builders in place for their staff parking whilst working on the site, noise, timing of working on site, equipment on site.
- Access to playing field area would be from within the site, not direct. This could cause conflict with tenants, machinery entering for maintenance, and players might use some of the limited parking spaces.

Representation from Ward Councillors

2.3 A letter of representation was received from Councillor Strike following contact by the Case Officer to the Ward Councillors outlining the proposal and subsequent amendments, including replacement tree planting proposals, in further detail. In response concern was expressed about replacement tree planting within the adjacent Council owned land (known locally as The Leap) both in respect of views into the conservation area and potential conflict with further tree planting and children playing on sledges in the winter months.

Representations received following receipt of amended and additional information

2.4 The development has been amended through changes to the proposed house types, layout, height of dwellings, vehicle access to the site, access gate location to the playing field, increased visitor parking to the residential dwellings and for users of the playing pitch, retention of trees within the site (northern boundary), boundary enclosure and material details. Following the submission of amended plans and additional information, re-notification letters were sent to all those previously consulted and to those who previously made representation, and the following representations have been received. In the event that any further representations are received that have not been included within the report, these will be reported verbally at the Planning Committee meeting.

1 Rectory Green, West Boldon

- Did not receive pre-application community consultation information referenced within the submitted Planning Statement. The Planning Statement document states that no responses have been received to the community consultation. There have been no responses because resident did not receive any information and suspect that such communication was never made. The statement is a complete falsehood.
- Object in the strongest possible terms to the inclusion of 3 and 2.5 storey houses. Nothing of this height exists in the village and is not in keeping with the semi-rural location. Such a height on the hill will make these houses stand out disproportionately to the surroundings.
- It is disappointing that so many trees will be removed when a more sensitive and less vigorous building approach would allow for the vast majority of trees to remain. Better planning and consideration could easily avoided this situation.

7 Rectory bank, West Boldon

- Questions raised concerning amended proposals and clarification sought.
- Objecting to the development and proposal to remove trees.

Case Officer comment: Further clarification provided to outline amendments and additional information submitted.

External Consultees

Northumbria Water

Initial comments, based on proposal as originally submitted:

2.5 No objections. Condition suggested in relation to the applicant's submitted drainage details being carried out, including the connection point to Northumbrian Water's network and surface water discharge rate.

Further comments following receipt of amended and additional information:

2.6 Original comments remain valid. Variation to wording of condition agreed.

Sport England

Initial comments, based on proposal as originally submitted:

2.7 Although the proposals do not encroach onto the playing fields they will prejudice their use by providing limited access, and removing the ancillary facilities supporting the playing fields such as parking, maintenance store, and potentially toilets and changing facilities previously provided by the school buildings, with no proposals to provided replacement facilities in line with para 97 of the NPPF as part of the application submitted.

2.8 Sport England are concerned that the access gates indicated on the proposed site plan will be the sole access point to the playing fields, we would request that the applicants evidence that the access will be suitable in terms of access for maintenance and other equipment

2.9 Sport England also has concerns over the close proximity of the proposed dwellings to the playing fields. Lost balls, noise etc could affect the sustainability of the playing fields and no measures are put in place to prevent nuisance complaints arising from the development if permitted. Sport England objects to the application because it is considered to prejudice the use of the existing playing field area.

Case Officer comment: the following comments were received after clarification was provided to Sport England regarding the proposals, the previous sole use of the playing pitch by the former West Boldon primary school and that the site has no current toilet, changing, parking or maintenance facilities on site.

2.10 Sport England accept that no changing / toilet facilities have been provided for community use of the site. However, Sport England still object to the proposals due to the lack of parking provision for users of the playing field. Although there is no reference to playing fields/playing pitches in the SPD 6 Parking Standards (2010) we are concerned that the council are failing to plan for the retained playing field being used for pitch sports.

2.11 The Councils Playing Pitch Strategy (2015) identifies an overplay of mini football in the surrounding area which this mini pitch could help to alleviate. The planning system should ensure that existing and proposed uses 'get along'. If the retained playing field is used for pitch sport it is important that this happens in a way that sits comfortably with the proposed residential use beside it. Careful consideration needs to be given to adequate parking provision to ensure no conflict arises between the proposed development and existing playing fields.

2.12 Ultimately we (Sport England are concerned that failure to make provision for parking for the playing field being in use will lead to neighbour conflict and a decision not to allow pitch sport to take place on the site. Sport England maintains their objection to this application because it is considered to prejudice the use of the existing playing field area.

Case Officer comment: the following comments were received after additional clarification was provided to Sport England:

2.13 The former school site should have been listed in the 2016 South Tyneside Playing Pitch Strategy (PPS) either as a 'lapsed or disused' site. This would have ensured that consideration was given to it, supporting any deficit in pitch provision or any case for off-site contribution through any housing development.

2.14 The Football Foundation have been consulted on this application and make the following comments:

1. There is an overplay noted within the South Tyneside PPS which this facility could help to alleviate if ever required. If that did become the case, we would expect users of the site to be able to park safely and access the playing field, although The FA / Football Foundation have no specific calculation for number of parking spaces required for such a facility.

2. If there was an option to re-provide this area of playing field at an alternative location across South Tyneside as part of wider discussions that are taking place linked to the PPS & Local Football Facility Plan that is something we would be open to discussing.

2.15 Although the Local Authority did not include sports pitches within their parking standards, the Government's Planning Portal website offers guidance.

2.16 This suggest that 1 space per 3 adult players should be provided to ensure no conflict arises between the proposed development and existing playing fields as a result of the on street parking. As the pitch is for U9/U10 football, we would recommend an allowance is also made for spectators as it is likely that the players will be accompanied by parents or guardians.

2.17 Sport England are concerned that the council are planning for this space to be utilised for open space rather than be retained in its sporting capacity as a mini pitch to help alleviate some of the overplay of mini football in the surrounding area identified within the council's Playing Pitch Strategy (2015). Sport England consider the requirements to support the use of the existing pitch to be mitigation to prevent the proposals from prejudicing the use of the sports field and not a planning gain, therefore should not be limited by the viability of the site.

Further comments following additional information regarding the former use of the playing pitch by the former school and currently, particularly in terms of car and coach parking and the lack of a community use agreement:

2.18 As a statutory consultee, and an expert in planning for sport, Sport England expects significant weight to be given to its response in the determination of any planning application affecting playing fields.

2.19 We have reviewed the additional information in relation to the loss of an area of the playing fields and are satisfied that this is adequately addressed. However, our outstanding objection is in relation to the new developments potential to prejudice the use of the existing playing fields, which have not been addressed by the additional information.

2.20 Please see Sport England previous response (as detailed above) for our recommendations on how to address this objection. Should the applicants be unable to address these concerns within the confines of the proposal to secure the use of this site for community sport. If there was an option to relocate the sporting provision, Sport England would be willing to consider investment in measures to improve capacity of sports sites in the area in line with the councils refreshed PPS.

2.21 Given the above, Sport England <u>maintains their objection</u> to this application because it is considered to prejudice the use of the existing playing field area.

<u>Case Officer comment:</u> In response to the above comments, an additional plan providing 7 parking spaces located adjacent to the playing pitch access and within

the application site curtilage was provided to Sport England (please refer to Plan 10 at the rear of this report) The following final comments were received:

2.22 Sport England is now satisfied that the amendments make provision for users of the playing field should it be set out as playing pitch. The proposal therefore no longer prejudices the use of the playing field for sport and Sport England is therefore able to withdraw its objection.

Environment Agency

2.23 No comments received

Northern Gas Networks

2.24 No objections. Copies of mains records and safe working guidance supplied. Advise that the promoter of the works should contact Northern Gas Networks directly to discuss requirements in detail and any diversionary works required will be fully chargeable.

Northern Powergrid

2.25 No comments received

Police Architectural Liaison Officer

2.26 No comments received

Tyne & Wear Archaeology Officer

2.27 The proposed development site is outside of the medieval core of the village of West Boldon. The demolition of the existing school has already had a negative impact upon and surviving deposits or features. The site is regarded as having limited archaeological potential given its previous uses. The proposed development is almost all within the footprint of the existing school and its immediate landscaped area rather than in the playing field, therefore it is not anticipated that much, if any archaeology will survive. Do not believe it is necessary to attach any archaeological condition to this application.

Natural England

Initial comments, based on proposal as originally submitted:

2.28 No objection subject to appropriate mitigation being secured. Natural England consider that without appropriate mitigation the application would:

- Have an adverse effect on the integrity of the Norhumbria Coast Special Protection Area (SPA) and Northumbria Coast Ramsar;
- Damage or destroy the interest features for which Durham Coast Site of Special Scientific Interest (SSSI) has been notified.

2.29 In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- A financial contribution per new dwelling created as has been agreed with the local authority, in line with the Interim Supplementary Planning Document 23 – Mitigation

Strategy for European Sites (recreational pressure from residential development, March 2018).

2.30 We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

2.31 Further general advice on consideration of protected species and other natural environment issues provided.

Further comments following receipt of amended and additional information:

2.32 The advice provided in our previous response applies equally to the amended proposals, although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Nexus

2.33 No comments received

Internal Consultees

Senior Landscape Architect

Initial comments based on proposal as originally submitted:

2.34 Formally objects to the proposals. The existing trees on site and overhanging the site have recently been surveyed by the Council with a view to having them protected by a Tree Preservation Order (TPO). Based on the results of this survey, a number of trees were included within a TPO (TPO no.355). Please refer to plan 11 to the rear of this report. I would want to see these protected trees retained due to their contribution to the visual amenity of the area. A tree survey carried out by the applicant's consultant as part of this planning application and this illustrates how many large and healthy trees are on this site. I accept that within any development there may be some loss of trees to facilitate the development. However the sheer scale of felling on this site, and the detrimental impact that the loss of so many large mature trees, many of them Category A and B, will have on the visual amenity of the area must be considered. Compromises need to be made on the layout and appropriate construction measures to protect retained trees should be used on this development. Would expect to see as many of Category A and B trees to be retained as possible. Detailed response received in respect of each proposed tree removal.

Further comments following receipt of amended and additional information to retain 7 no. trees to the northern boundary of the development site and additional tree root protection measures, including those for the creation of car parking within the root protection area of retained trees:

2.35 Firstly, the applicant has been able to change the layout at the northern boundary in order to retain more of the category A trees. There should be conditions regarding both the special construction measures to be used in the root protection areas of trees, the tree protection fencing, and the proposed surfacing to be used.

2.36 Note that the vast majority of trees along the southern boundary are not considered to be worthy of a TPO. Therefore I would have no objections about the request to

trim the branches of Trees 34-37 although it may make some of these trees very unbalanced as much of their crown spread is on the development site. I am also of the opinion that in order to facilitate the development, we should accept the need to fell the other trees along this boundary that are under TPO, subject to replacement planting, given the location further away from the main highway.

2.37 However, I still have concerns about the number of trees that will be felled along the boundary with North Road. These trees are the most visible and so contribute most to the amenity of the area. I can see where compromises could be made in allowing some selective felling to facilitate the development, but some of the finer, category A and B trees need to be retained along this boundary as the loss of these trees will have a detrimental impact on the visual amenity of the area.

2.38 I have looked at the Council owned land (The Leap) across North Road, also noting the concerns of the local councillors regarding views and other activities in this area. It is my view that a plantation in this area would be completely inappropriate. However, if the 20 no. trees are felled as proposed despite landscape and Tree Team objections, I would recommend that there is a scheme of replacement tree planting of at least 20 trees planted in this area. This planting should be phased over a number of years so that it fits in with the management and maintenance of the tree team and the space available here. The trees will need to be of sufficient height to give immediate visual impact, i.e. Light standard or larger.

2.39 In summary, it is considered unacceptable to see all the trees along the North Road boundary felled and the Council's Senior Landscape Architect continues to object to the proposals. She understands the complexities of the design on this site, but wants to see further changes to the design to allow for a greater number of trees to be retained.

Tree Team

Initial comments based on proposal as originally submitted:

2.40 Strongly object to this development, as all the TPO trees are to be removed to facilitate the development. It would be a great loss of good quality tree stock including A class trees that are highly visible from many directions, and contribute greatly to the canopy coverage of Boldon.

Further comments following receipt of amended and additional information to retain 7 no. trees to the northern boundary of the development site and additional tree root protection measures, including those for the creation of car parking within the root protection area of retained trees:

2.41 Concern expressed about the loss of mature A and B class trees being removed. Removal of category A and B trees would be a real loss to the area, retention of mature trees like category A and B are important and the site is located within (SPD3) Green infrastructure Strategy corridors and the wildlife corridor. The replacement planting (one for one) does not mitigate the loss of tree stock to the community and it should be considerably more should the scheme go ahead.

2.42 In relation to parking under the retained trees on the north east corner of the proposed development, this would need to be carefully considered to ensure the protection of these retained trees.

Community Safety

2.43 Content with the proposed development.

Housing Strategy

2.44 The Strategic Housing Market Assessment 2015 (SHMA) has identified need of 1 and 2 bed affordable units in the Boldon area, with small need for 4 bed units, and highlights an oversupply of 3 bed properties already in the area. Consider that the applicant (Karbon Homes) should consider local housing need and look to provide some 2 beds on the scheme as there is an identified need.

2.45 It is noted that the allocation of these homes would be very separate from the current social housing allocations policy, predominately due to the fact that housing need would not have to be proven and that the household would be in employment, then maybe the profile of housing type would need to vary. Our analysis on housing need for affordable housing is focused on the lack of two bedroom houses, as three bedroom houses are often unaffordable for households that are either benefit dependant or have low incomes (i.e. the typical profile of those accessing affordable housing); this is a totally different product and is aimed at a different market, therefore concede that 3 bedrooms may be more sustainable as tenants aspire to own the accommodation in the long-term.

2.46 With regards to the rent to buy option, we feel that of all places in the borough, this area would provide good diversity of tenures / property values in the surrounding area to give it the potential for being a success. Obviously the challenge is making it an affordable product in perpetuity. Karbon Homes would have to report funding / recycling of funding to Homes England / MHCLG through some sort of monitoring framework. The proposed rent to buy product is affordable housing - as rent-to-buy is in the definition within the NPPF.

2.47 This product will not assist in addressing the housing needs of households on the housing register (i.e. the proposal is for Rent to Buy and not to provide 'social' housing). Further details are required from the applicant (Karbon Homes) in respect of who would be responsible for monitoring the recycling of grant once the properties are sold.

Waste Services

2.48 No comments received.

Traffic and Road Safety

Initial comments based on proposal as originally submitted:

2.49 Junction sightlines should be included for clarity and check the height of boundary treatments. Clarification sought on how the scheme will impact upon the existing guardrail layout on North Road and the bus stop/shelter that is to remain. Autotrack layout for refuse vehicle manoeuvres required. Rear fence heights need amending for sight lines for plots 3-8 as exiting vehicles will be obscured from oncoming traffic, consider including a splay at each driveway. Visitor parking bays should be evenly distributed throughout the site and not clustered in one location. Furthermore plots 13-16 are not well provided for. Should retain 0.5m offset for visitor parking bays near boundary. There have been no accidents to note in the last 5 years.

Further comments following receipt of amended and additional information including a revised access to the site and further car parking:

2.50 Plans not detailed enough to check sight lines, but need to be in accordance with Manual for Streets, minimum 2.4 x 59m. Guardrail to remain up to tangent point of new junction and beyond; not to be removed as part of scheme. Also require additional panels for guardrail to opposite side due to these works. Any guardrail removed can be reused, but any new railing must match existing. A bespoke length of rail will be required to bridge the BT box near the field access. Autotrack for refuse bin manoeuvers within the site appears acceptable (subject to Waste Services comments). Surface finishes plan submitted is without any real detail – require details. S38 layout plan is agreed. Clarification sought to the nature of the open space adjacent to the playing fields wall and maintenance responsibility. Confirmation provided that the existing boundary walls will not be adopted as highway walls.

Case Officer comment: following receipt of the above comments, the applicant provided amended and additional details for further assessment.

2.51 Amended details are required to detail the relocation of the existing uncontrolled pedestrian crossing to North Road. Phasing and details for the delivery of the access road, removal of guardrails and their relocation needed.

Case Officer comment: The above details were submitted by the applicant and confirmed by Traffic and Road Safety as being acceptable.

Parking Manager

2.52 No comments received

Environmental Protection / Environmental Health (including as Lead Local Flood Authority)

Food and Occupational Safety:

2.53 No objections

Pollution Control (Noise):

2.54 No comments received

Land contamination:

Initial comments based on proposal as originally submitted:

2.55 The submitted gas monitoring for the site is incomplete but the results from the outstanding monitoring visits (at falling pressure) are due to follow in an Addendum Letter Report. Current indications are that gas protection measures will not be required on this development.

2.56 General ground contamination levels are within low risk levels and are not a concern, however monitoring at sample point BH8 indicates the ground here is not suitable for soft landscaping. On the proposed plans the garden of plot 13 is in this location and therefore I would request a remediation statement for the land around this plot.

Further comments following receipt of Gas Risk Assessment Addendum report:

2.57 Having reviewed the Ground Gas Risk Assessment Addendum Report (dated 21 June 2017), it has been confirmed that gas monitoring for the site is now complete and can confirm that gas protection is not required on this development.

2.58 With regards to plot 13, a remediation statement advising how the developer intends to deal with the ground contamination identified as and around the garden area of plot 13 (BH8), is required.

Further comments received following receipt of remediation statement:

2.59 The applicant's remediation statement and proposed verification plans are satisfactory for plot 13 upon viewing the information submitted.

Final comments following receipt of amended and additional information:

2.60 Historic maps show that the aplictaion site was partially occupied as an abattoir as well as being open fields before the school was built. As such there was potential for limited contamination to enter the ground.

2.61 A Phase 2 Land Contamination site investigation was carried out by the applicant and the results of the testing showed that there was no contaminants in the made ground exceeding the (GAC) therefore no remediation or measures would be required on site. However, there was one area (BH8) which contained fragments of ash and a bituminous layer was recorded below the existing floor slab – neither of which are suitable to be placed beneath areas of soft landscaping. There was no sample results for the soil at BH8 – however, the removal of the ash fragments has been detailed within the remediation statement therefore would be happy that this area will be remediated.

2.62 The ground gas on site has been monitored by the applicant and the results show that gas is not an issue for the site, therefore no protection measures for ground gas will be required.

2.63 Following demolition of the school, the ground conditions were revisited by the applicant and remained consistent to what was found prior to demolition. Although there is no formal remediation required for the whole site, the removal of the ash and bituminous layer (garden area of plot 13) would not be placed in areas with soft landscaping – this has been detailed within the remediation statement. Any topsoil which is brought on to site should be tested and results included within the validation report to ensure that no contamination is brought on site. Conditions relating a verification report being produced and any unexpected contamination recommended.

Drainage / flood risk (Lead Local Flood Authority):

Initial comments *based on proposal as originally submitted*:

2.64 The proposed surface water drainage would consist of permeable paved driveways with geo-cellular tank which would deal with the 1 in 100 year flood event, there is no background to how this layout has been calculated as providing suitable storage. The micro-drainage calculations and outputs should be supplied by the applicant to demonstrate that the drainage design is appropriate. There is no information on the proposed permeable driveways and further detail on the construction should be provided, a cross section drawing would be satisfactory.

2.65 Some surface water flooding is indicated by the surface water flood maps at this location, but there are no records indicating that the school flooded at the application site. This may be a result of the brick wall that existed to the North between the school and Don Gardens which would have intercepted the downhill flow path.

Further comments received following amended layout, including revised drainage proposals and additional information:

2.66 Appropriate calculations have been provided by the applicant demonstrating that the drainage can deal with the 1 in 100 year flood event plus climate change. An appropriate maintenance schedule is supplied for the development however details for a maintenance company to be employed should be supplied as part of a condition. This is to ensure that appropriate provisions are in place for the maintenance of the suds features.

2.67 As the sustainable urban drainage (permeable driveways and geo-cellular tanks are below ground features) a report will need to be submitted post installation to ensure that installation has been carried out satisfactorily and in accordance with the drainage layout and drainage typical details. The submitted report should document the methodology, installation of the geo-cellular tank and permeable driveways (which should include photographs showing relevant points of installation such as membrane placement, geo-cellular crates and depth of sub-base, confirmation of use of correct specification materials for permeable paving and include as built drawings.) The report should document a minimum of 1 in 3 plots for permeable paving driveways. It should also confirm who the contact is for maintenance. Conditions recommended in respect of sustainable drainage, its construction and future management and maintenance.

Education

2.68 There is pressure on school places within West Boldon. Primary schools and the secondary school are full and are oversubscribed on entry. There has been an indication that the birth rate may dip in the area. This is being reviewed following recent housing build in the area. Given the level of oversubscription in the schools in the area, it is anticipated that the schools in this area would continue to be at capacity.

2.69 The application site is located within the primary catchment area for East Boldon Infants/ Juniors which would feed to Whitburn Academy.

2.70 The Council's Schools Organisation Plan is currently being reviewed alongside the development of the Local Plan to ensure that the Council plans appropriately to meet our statutory duty regarding the sufficiency of school places across the borough. The Council uses a recognised pupil projection method for effective pupil planning which is underpinned by the use of relevant data from a variety of sources including birth data and school census data. It is anticipated that most new housing developments will generate additional pressure on the existing demand for school places. Local Plans have also advised that there is no current concern around secondary schools in the area. In respect of primary school capacity, this is under review and on a general basis it has been established that 1000 new 2 bedroom homes in a new catchment area would generate the need for a new primary school.

Historic Environment Officer

Initial comments *based on proposal as originally submitted*:

2.71 The scheme is in a sensitive location within West Boldon Conservation Area. The proposed units to North Road are set quite far forward on the plot, which only increases the perception of massing in relation to the wider streetscape and potentially impacting on existing trees. This part of the conservation area is low density and whilst a number of existing properties do sit towards the front of their plots, they are one storey. Would ask that a more sensitive design solution would be preferred.

2.72 Note that the design and access statement explains the materials palette as 'conventional' for a residential development of this type. This is not a conventional site. It is located within a Conservation Area and should be designed in context. Concern expressed about the use of UPVC throughout. Dormer cheeks should be tiled, preferably using the same material as the roof covering. It is noted that small details but will make a large impact on the appearance of the development, and therefore the character and appearance of the Conservation Area.

2.73 Submitted proposals detail the use of Darlstone walling to infill the existing entrance gates, which is not considered to bet appropriate. The existing historic wall is magnesium limestone. In creating new openings, this stone should be salvaged and reused for infill. If not enough material can be found then the applicant will need to source some reclaimed stone.

2.74 Concerned about the volume of trees that the applicant wishes to remove. These trees are an important element in the West Boldon Conservation Area and loss of mature trees should be avoided where possible.

Final comments following receipt of amended and additional information including amendments to the layout and materials including those to the proposed dwellings and stone boundary wall:

2.75 Should there be insufficient reclaimed stone to make good the proposed boundary treatment along North Road, I recommend that a condition be included on any approval for stone samples to be agreed. Alternatives to the use of white UPVC eaves on porch and gables should be explored.

Countryside Officer

2.76 The area of land to be affected by the proposed development is approximately 0.4 hectares and is dominated by hardstanding, bare ground and ephemeral vegetation which has colonised since the recent demolition of the former school. Other habitats in the development site are amenity grassland, broadleaved trees and some introduced shrub areas. With the exception of the broadleaved trees the habitats on site are common and widespread and considered to have relatively low ecological value.

2.77 The development site is the following distances from nearby designated sites:

- Within the River Don Wildlife Corridor
- ~80m m of River Don North Road LWS
- ~120m of River Don West Boldon LWS

2.78 The applicant's updated Preliminary Ecological Appraisal (PEA) identifies the impacts to biodiversity (habitats and species) that the proposed development will have including the loss of approximately 0.4ha of habitats of low habitat value, loss of semi-mature trees of local habitat value.

2.79 The revised PEA states: *"Given the small number of residential units proposed, the urban location of the LWS and presence of existing recreational infrastructure, it is considered likely that a minor increase in recreational activity associated with new residents will not have a significant adverse effect on the LWS."* The Council's Countryside Officer states that impacts on the River Don LWS cannot be simply dismissed. An additional 16 families and their associated pets are likely to use and therefore have an impact on the nearby LWS's, albeit a minor adverse effect.

2.80 Section H of the PEA, the mitigation hierarchy should be applied when impacts on biodiversity are anticipated from a proposed development. The mitigation strategy section of the PEA does not adequately address all of the impacts of the proposed development. In order to address the impacts, the following mitigation and compensation measures should be secured through appropriate informatives and planning conditions, or by S106 agreements in order to accord with national and local policy and the British Standard BS42020:2013 Biodiversity – Code of practice for planning and development.

- All vegetation clearance must be timed to avoid the bird nesting season.
- Some bird nesting opportunities should be created by installing a minimum of 4 nest boxes within the development site.
- An appropriate lighting design strategy must be formulated to minimise adverse ecological impacts.
- It is my understanding that an off site compensation scheme is to be devised for the loss of the 20 trees. Questioning the impacts on biodiversity and the level of replacement tree planting. The PEA states : *"Where trees are to be lost to the development, these will be replaced on a 2:1 basis"* This would partially make up for the time lag for the new trees to mature i.e. 40 smaller trees come closer to replacing the volume of habitat provided by 20 large trees. The potential sites for planting these could be widened to include the land close to the LWS where recreational impacts will occur.

Habitats Regulations Assessment

2.81 The applicant has submitted the following document relevant to HRA to support their application:

- Report to Inform an Appropriate Assessment, West Boldon School, October 2018, Version R01 Draft, by E3 Ecology Ltd.

The information submitted covers two of the steps of the HRA process; screening for the potential of likely significant effects (LSE) on European Designated Sites and an appropriate assessment of any LSE's identified.

2.82 It is my opinion that the report submitted by the applicant contains appropriate and sufficient information to allow the competent authority to undertake a HRA of this project. The report concludes that the only likely significant impacts on the Durham Coast SAC and Northumbria Coast SPA will be adverse effects from an increase in recreational pressure at the coast due to an increase in residential units within a 6km zone of influence. The applicant has indicated that they would like to mitigate their impacts in accordance with SPD23.

2.83 The applicant has therefore indicated that they wish to make a financial contribution to the recreation mitigation strategy in line with the tariff as set out in SPD23.

3.0 Planning Assessment

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

3.3 The statutory development plan is the Council's adopted Local Development Framework development plan documents. These are in **bold** text below. Adopted supplementary planning documents are capable of being material considerations in planning decisions. These are in *italic* text below.

3.4 In deciding whether to grant planning permission the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

3.5 The National Planning Policy Framework (NPPF), introduced in July 2018 (and which replaced the March 2012 version of the same), is a material consideration in all planning applications.

3.6 To assist in the assessment of the application, development plan policies have been grouped together under the main themes of the LDF.

Strategic Policies and Delivering Sustainable Communities

ST1 Spatial Strategy for South Tyneside (LDF Core Strategy) sets out the spatial strategy for the development of South Tyneside and that the use of planning obligations is essential to the delivery of the overall strategy.

ST2 Sustainable Urban Living (LDF Core Strategy) promotes the highest standards of design, environmentally sound practices, (including on site generation of renewable energy) and sustainable drainage, gives priority to alternative modes of transport to the private car, addresses the need to design out crime and eliminate the fear of crime and promotes biodiversity interests.

SC1 Creating Sustainable Urban Areas (LDF Core Strategy) says that to deliver sustainable communities, development proposals will be focused and promoted within the built up area.

SC3 Sustainable Housing Provision (LDF Core Strategy) promotes the renovation of existing housing stock where viable and managed redevelopment in order to create sustainable residential communities and manages the phased release of land for new housing developments.

SC4 Housing Needs, Mix and Affordability (LDF Core Strategy) seeks to ensure a range and choice of good quality affordable homes to meet identified housing needs.

SC6 Providing for Recreational Open Space, Sport and Leisure (LDF Core Strategy) seeks to promote the provision of high quality recreational open space, playing fields and outdoor sporting and play facilities.

E1 Delivering Economic Growth and Prosperity seeks investment in education and training and encourage the development of new facilities at accessible locations

SA7 (A & B) Green Infrastructure and Recreational Opportunities (LDF Site Specific Allocations) seeks to ensure that all major developments include high quality landscaping with a variety of public open spaces and protect and enhance open spaces in the Borough particularly as part of the linked open space system. The policy also designates the former playing fields as recreational open space.

DM1(J) Energy Efficiency and Resilience to the Affects of Climate Change (LDF Development Management Policies) is to ensure that developments are designed to achieve lower carbon emissions and to have greater resilience to the affects of climate change.

SPD1 Sustainable Construction and Development: requires applicants for certain larger scale or significant schemes to demonstrate the sustainability credentials of their proposals.

SPD3 Green Infrastructure Strategy promotes the provision of high quality recreational open space, playing fields and other sporting and play facilities, including implementing and supporting schemes that protect and improve its quality, quantity and accessibility, remedying deficiencies in open space provision and quality and supporting schemes that extend beyond the borough's Linked Open Space System.

SPD4 Affordable Housing: sets out how the affordable housing requirement in policy SC4 is to be provided through the planning process.

SPD5 Planning Obligations and Agreements: provides guidance on the planning obligations and agreements that will be required to ensure that new development can be accommodated in the Borough.

<u>The principle of development – Sustainable Communities, Sustainable Development and Housing provision</u>

3.7 Policy SC1 and ST1 states that to deliver sustainable communities development proposals should be focused and promoted within the built up area. The application site is located within a built up area where there are local shops and other amenities nearby, both within West Boldon and Boldon Colliery. The development site is also served by public transport links, with a bus stop located on North Road, in front of the development site.

3.8 Policy SC1 also seeks to create a strong sense of place by strengthening the distinctive historic and cultural qualities. The historic and cultural qualities of the area are considered later within this report.

3.9 Policy ST1 seeks to ensure new development maximises the use of brownfield (previously developed) sites wherever possible. The proposed development would

be located partially on the footprint of the former school buildings and hard surfaced areas which comprise brownfield land. However, the north eastern part of the application site (with an area of 800m^2) is not previously developed land and this land is allocated as recreational open space and playing fields. This land previously provided an area of greenspace within the school site. It was not used as a playing field. The applicant has provided an Open Space Assessment, to include this greenspace area of the application site and the existing playing pitch area to the west of the application site. This open space assessment is addressed at paragraph 3.26 onwards within this report, but the findings of this report are acceptable.

3.10 Policy SC3 (c) seeks to manage the phased release of land for new housing in accordance with the prioritisation and assessment of suitability and availability of sites within the Council's Urban Capacity Study.

3.11 Policy SC4(iii) states that development within Urban Fringe Villages should focus on 2-bed starter and 3 and 4 bed family/executive homes. The 2015 Strategic Housing Market Assessment (SHMA) further identifies this need but does suggest an over provision of three bed homes in certain areas of the Borough (including South Shields West, Cleadon and East Boldon Area).

3.12 Policy E1 seeks investment in education and training. In respect of the proposal providing family accommodation there will be a resultant need for school places within West Boldon. Strategic Planning in consultation with Education have advised that there is no current concern around secondary schools in the area. In respect of primary school capacity, this is under review and on a general basis it has been established that 1000 new 2 bedroom homes in a new catchment area would generate the need for a new primary school. As such due to the small scale nature of this proposal, it is not considered that the additional housing proposed would impact to any significant level upon the existing school placement provision. In reviewing school placements and any expansion or school development proposals, the housing proposed alongside any further developments would need to be taken into account.

3.13 As such the proposal would accord with these strategic policy objectives.

Affordable Housing and Section 106 Agreement

3.14 The applicant, Karbon Homes is a 'registered provider' (with Homes England) and is proposing that the 16 no. dwellings would be for affordable home ownership (Rent to Buy). This is a new part Government funded product (by Homes England).

3.15 In summary, Rent to Buy is a scheme which allows working households to rent a home at Intermediate Rent (rent offered at a value above social rent but below market levels and not exceeding 80% of the current market rent) providing them the opportunity to save for a deposit to then go on and purchase their first home. The homes will be let at an Intermediate Rent for a minimum of 5 years during which time it is anticipated that the tenant will save for a deposit. After the initial 5 year letting period the registered provider (Karbon Homes) may continue offering the property as Rent to Buy, they may sell the home (the tenant will be given the right of first refusal) or convert the home to market or other form of affordable rent. Eligible applicants for tenancy must be working households and intend to buy their home in the future at the time of letting, either being first time buyers or those returning to the market (i.e. after a relationship breakdown).

3.16 Rent to Buy homes will be sold at market value and tenants wishing to purchase their home will need to obtain a conventional mortgage to do so. There is no additional affordability assessment over that of the mortgage lender, required for Rent to Buy purchases.

3.17 Karbon Homes have secured a grant allocation of for the delivery of a 100% affordable Rent to Buy scheme on the application site. In receiving an allocation for Homes England Funding through the Shared Ownership and Affordable Housing Programme 2016 to 2021, registered providers are required to manage their schemes through an Investment Management System (IMS). Homes England's powers in relation to payment and recovery of grants are set out in legislation, and within defined terms and conditions.

3.18 All grant recipients wishing to deliver Rent to Buy homes are required to enter into a supply contract with Homes England. These supply contracts agree milestones and payment times for grants. The providers must submit required information on IMS prior to claiming any grant. Reporting and auditing requirements apply to grant funded schemes.

3.19 Grant recovery and the recycling of capital grant funding is detailed within Homes England Capital Funding Guide. Registered provides have the option of repaying the recoverable capital grant to Homes England or recycle into future permitted uses through a Recycled Capital Grant Fund. Where registered providers decide to maintain a fund they will be required to calculate the amount of recoverable grant to be credited to the fund and nominal interest calculated. Homes England expects that a Recycled Capital Grant Fund is robustly managed and if not used within three years, Homes England will collect this and recycle the money.

3.20 Homes England's expectation is that the recycling of the grant should take place within the local authority area within which the recycled fund was generated. Registered Providers' internal records of recovery will therefore need to record the originating local authority area in which the recycled grant was generated. If a Registered Providers wish to spend recycled grant in a different local authority from that in which it had originated, then Homes England will need to give approval.

3.21 The NPPF definition of affordable housing was revised within the 2018 update. This states that affordable housing is '*housing for sale or rent, for those whose needs are not met by the market (including housing that provides subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: (a) affordable housing for rent, (b) starter homes, (c) discounted market sales housing and (d) other affordable routes to home ownership, which includes rent to buy'. This states that where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any recipients to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement*.' As such there is now a distinction between social housing and the introduction of new housing products, which seek to assist first time buyers and those aspiring towards home ownership

3.22 The proposed dwellings would be considered as being affordable housing, having regard to the definition of affordable housing within the NPPF, the Rent to Buy product and 16 no. dwellings being proposed by the applicant and the terms and conditions of the Homes England funding they have secured.

3.23 Policy SC4 seeks to require 25% of all new housing be genuinely affordable and in urban fringe village locations it would apply to housing proposals of 5 or more dwellings. As such, policy SC4 is relevant to the applications assessment.

3.24 The applicant has advised they are unable to enter into a section 106 planning obligation in respect of affordable housing, that would seek to secure that a 25% proportion of the dwellings remain genuinely affordable in perpetuity; as this would undermine the proposal's viability and delivery. Furthermore, in respect of the terms of the funding agreement, the terms of conditions of the funding would restrict and ensure that in the event that an affordable housing unit is sold, then the grant is repayable. In simplistic terms, the 16 dwelling proposed will not be retained as 'affordable housing' in perpetuity, following any future purchase of the property by tenants, however the grant provided to deliver the affordable housing, will be held in perpetuity through the recycling of the Homes England grant.

3.25 On balance and in this particular instance, it is therefore considered that a planning obligation with regards to 25% affordable housing in perpetuity is not required It is however recommended and considered necessary to include a planning obligation which links the approved development to the delivery of a 100% affordable housing scheme, (as per the Homes England Grant funding secured). This is deemed necessary to ensure that in developing a scheme, the applicant (or other developer should the land be subsequently sold) provides affordable housing and does not develop an open market housing scheme. As such an obligation attached to the Section 106 agreement is proposed. Given all of the above it is therefore considered that the application site would contribute to maximising the re-use of previously developed land in a built up area, and would be in close proximity to public transport links and local services. The development would therefore reasonably accord with LDF policies ST1 (E), SC1, SC3 and SC4. NPPF and Planning Practice Guidance has also been taken into account in reaching this view.

Principle of development – loss of recreational open space / playing pitch.

3.26 Policy SC6 of the South Tyneside Local Development Framework seeks to promote the provision of high quality recreational open space, playing fields and outdoor sporting facilities by implementing and supporting schemes that will protect and improve the quantity, quality and accessibility of open space and outdoor sports, leisure and children's play facilities throughout the Borough. Policy SA7 also seeks to protect and enhance recreational open spaces and playing fields in the Borough. In support of policy SC6, is Supplementary Planning Guidance 3 (SPD3) – Green Infrastructure Strategy 2013. Since the publication of the SPD3 and in preparation of the emerging Local Plan, a number of evidence base documents and reports have been and are currently being prepared, including the South Tyneside Open Space Assessment report (2015) and South Tyneside Playing Pitch Strategy (2015), and due for publication in 2019, an updated South Tyneside Playing Pitch Strategy.

3.27 As detailed above, the application has been accompanied with an Open Space Assessment, which identifies that and area of 800m^2 allocated as recreational open space / playing field would be development through these proposals. Within the Local Development Framework, the northern part of the application site has been washed over as recreational informal open space. This area doesn't form part of the formal marked out playing pitch, run off area for the pitch and it is too restricted to form part of the pitch. When the School was operational, the land was turfed and used as recreational informal open space around the perimeter of the school building. Since the closure of the school the land has remained as a grassed area, located adjacent to the demolished buildings.

3.28 Sport England were consulted on the planning application due to a small northern section of the application site being allocated as recreational open space / playing pitch and the application sites location adjacent to retained playing pitch, which provides a mini soccer pitch. Sport England's Playing Field Policy identifies that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless the development meets with one of 5 specific exceptions. Having reviewed the exceptions, exception 3 states; '*The proposed development affects only land incapable of forming part of a playing pitch and does not (i) reduce the size of any playing pitch; (ii) result in the inability to use any playing pitch, (iii) reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; (iv) result in the loss of other sporting provision or ancillary facilities on the site, or (v) prejudice the use of any remaining areas of playing field on the site*.' The planning application includes for the development of land which does not form part of the formal marked out playing pitch. It is considered that the proposal would not reduce the size of any playing pitch and would not result in the inability to use the playing pitch - the playing pitch is being retained and pedestrian and maintenance access would be provided from the planning application. Furthermore the proposal would not reduce the sporting capacity of the playing field to accommodate playing pitches. The playing pitch would be retained on its current location and orientation. The proposal would not result in the loss of other sporting provision or ancillary facilities on the site, or prejudice the use of any remaining areas of playing field on the site. The playing pitch area, located outside the application site boundary would be retained and made available for public use.

3.29 Sport England have advised that in relation to the loss of the recreational open space/playing field, they are satisfied with the open space assessment submitted to support the planning application and raise no objection to the inclusion of a small area of recreational open space within the development site.

3.30 Section 6.3 of Sport England's Policy and Guidance identifies at paragraph 56 that, '*there may be developments proposed on non-playing field land which will prejudice the use of playing field (e.g. development in close proximity to the boundary of a playing field) which will not maintain adequate safety margins…)*'. It proceeds to state that '*If suitable mitigation measures are included in the application, which can be secured and delivered through a planning permission (e.g. ball stop fencing and/or netting), then such developments could meet with Exception 3.*' Examples of development which is likely to prejudice the use of the playing field are detailed, which includes '*development affecting off-site facilities which support the use of the playing field, e.g. parking facilities*.'

3.31 Sport England initially raised objection to the application in relation to the proposed developments potential to prejudice the use of the existing playing pitch. Specific reference was made to ensuring existing and proposed uses 'get along'. Concern was raised for the future use of the retained playing field for pitch sport and the importance that this takes place in a way that sits comfortably with the proposed residential use beside it. Sport England raised concern that failure to make provision for adequate car parking spaces for the users of the playing pitch would lead to neighbour conflict and a decision not to allow pitch sport to take place on the site.

3.32 Sport England were advised by the Council that there have never been any off site parking facilities serving this playing pitch and prior to the schools closure the playing

pitch was used solely by the school without any community use agreement. The school itself had very limited in curtilage car parking for teaching staff, with no space for a coach to park or manoeuvre within. The applicant has amended the layout to accommodate further parking within the residential development site for users of the playing pitch, in addition to the residential development requirements.

3.33 It is considered through providing a formal means of public access to the playing pitch from the residential development site, in delivering mitigation proposed through fencing to separate the application site from the existing playing pitch, and the provision of parking to serve the playing pitch and residential development, that the development would represent betterment to the existing playing pitch and recreational open space provision. Car parking provision is detailed further within the Improving accessibility; highway capacity, highway safety section of this report.

3.34 It should be noted that the retained playing pitch was not included in the 2015 South Tyneside Playing Pitch Strategy due to the former use of the site by the school only. In reviewing and updating the Playing Pitch Strategy it is acknowledged that all currently used playing field sites in the Borough require protection and therefore cannot be deemed surplus to requirements due to shortfalls now and in the future.

3.35 It is therefore considered that as the site has not been included in current provision, efforts to bring this site into a more formal use by providing a means of access, boundary enclosure and car parking facilities should be seen as a benefit. The playing pitch would be more accessible to community use than currently and would contribute to addressing identified shortfalls.

3.36 Sport England following further clarification of proposals and review of the amendments to the layout to increase the available visitor parking provision on site, have withdrawn their objection. Sport England has advised that they are now satisfied that the amendments make provision for users of the playing field should it be set out as playing pitch. The proposal therefore no longer prejudices the use of the playing field for sport and Sport England is therefore able to withdraw its objection.

3.37 Conditions are recommended to ensure that details are submitted to identify how access to the playing pitch will be provided through the construction period and ensure that a physical barrier (fencing) is provided between the development site and existing playing pitch. A further condition is also proposed seeking details for the access gate to the playing pitch to ensure the gates installed are appropriate in terms of amenity and in terms of maintaining access.

3.38 In summary, it is considered that the proposed development would ensure access to retained recreational open space for its sporting capacity as a mini pitch and will contribute to addressing identified shortfalls. It is considered that the provisions being made as part of this application would contribute to making this site more accessible to the community for sporting use. As such, it is considered that the proposal would be in accordance with LDF policies SC6 and SA7 through promoting the provision of playing fields and outdoor sporting facilities.

Sustainable Urban Design

3.39 Supplementary Planning Document 1 (SPD1) requires that a sustainability statement be provided to consider energy, site waste, materials procurement and sustainable urban drainage within the development site.

3.40 Reducing carbon emissions can be achieved by improving a building's thermal performance (i.e. fabric first approach), as opposed to on-site renewables (i.e. low or zero carbon technologies), which is a consideration of Policy ST2. Furthermore, it should be noted that Building Regulations, which is a separate regulatory regime that would apply to the proposal's construction, now require buildings to have a higher thermal performance than was the case when either the LDF core strategy was adopted in June 2007 or when the development management (DM) polices development plan document was adopted in December 2011.

3.41 A sustainability statement shows that a sustainable drainage system (SUDS) will be provided. Furthermore technologies will be incorporated and sustainable building materials used with a high Green Guide rating and locally sourced where possible. Proposed drainage and ecology are considered further within the 'Capitalising on our Environmental Assets/Environmental Protection' section of this report.

Designing out crime

3.42 The applicant has confirmed that there will be consideration to Secured by Design. It should also be noted that security measures also form part of the Building Regulations regime.

3.43 The Police Architectural Liaison Officer and Community Safety Team have raised no objections to the proposal on the basis of crime and/or fear of crime.

3.44 The proposal would accord with the strategic objectives of Policies ST1, ST2 (F) and DM1(J).

Improving Accessibility, Highway Capacity, Highway Safety

A1 Improving Accessibility (LDF Core Strategy) - seeks to support public transport, cycling and walking by ensuring that new developments are easily accessible. Requires transport assessments for major development proposals. Parking standards will apply to new development, as set out in SPD.

DM1 (G, H and I) Management of Development-Highways and Access (LDF Development Management Policies) - seek to ensure acceptable impact (or mitigation) of developments in relation to highway capacity and safety, that convenient and safe routes are facilitated and the needs of all users are considered.

SPD6 Parking Standards sets out the parking standards used in assessing proposals for new development.

3.45 The proposed development would provide an access to the development site from North Road, providing both vehicular and pedestrian access. A footpath link from North Road would provide a safe route for pedestrians into the site. All parking serving the development would be accessed from within the site. Each house would have at least one parking space and 6 dwellings (plots 11 to 16) would have two allocated in-curtilage parking spaces and integral garages. Thirteen visitor parking spaces are proposed through the development, comprising 6 visitor parking spaces for the residential development and the further 7 spaces, including 3 spaces under the tree canopy to the north of the site) for users of the playing pitch. These would

be informal spaces, using a grasscrete (or similar) surface treatment and would not be adopted by the Council as Highway Authority. These spaces would serve as further on-site parking provision for users of the playing pitch. In respect of residential development SPD6 identifies a maximum parking standard of 1 visitor parking space per 3 dwellings. The development would provide sufficient space to accommodate the potential visitor parking requirements for the residential development, whilst providing residual spaces for users of the playing pitch.

3.46 As summarised above, Sport England raised initial objection to the application with reference expressly made to the available parking for the playing pitch. The applicant has amended the layout to accommodate further parking within the residential development site for users of the playing pitch, in addition to the residential development requirements. The applicant has amended the proposals to include for parking bays to the rear of plots 1 to 6 and a further space to the side of plot 12. Further spaces are located adjacent to the playing pitch and close to the entrance gates serving the playing pitch.

3.47 South Tyneside LDF SPD6, whilst identifying standards for residential developments, the guidance does not include car and cycle parking standards for recreational open space / playing pitches. Through consultation with Sport England, guidance was provided on parking standards (reference: Government Planning Portal website), which identified that 1 space should be provide per 3 players. As the pitch is for mini soccer, it was determined that parking provision should be made available for spectators as it is likely that the players would be accompanied by parents or guardians. The size of the recreational open space limits the pitch size and therefore accommodates a 5v5 team. Based on the parking standard figures identified 4 car parking spaces would be needed. Expanding the assessment, a 7v7 team would equate to 5 spaces and a 9v9 team would equate to 7 spaces, all of which would be accommodated through the amended proposals and the identified car parking provision. It is considered that the number of players/spectators generated by the use of a pitch will inevitably vary depending on the size of the pitch, so a mini pitch (5v5 or 7v7) will attract fewer users than a larger pitch and therefore the parking demand would be less for a mini pitch.

3.48 As such it is considered that the distribution and location of spaces for both the residential dwellings and users of the playing pitch would ensure available parking spaces to meet both visitor parking requirements on site. It should be noted that the parking spaces will not be allocated for either residential or playing pitch use and use will be on a first come first served basis. Taking this into account, it is considered that the level of resident and visitor parking within the site would be acceptable having regard to parking standards set out in SPD6. In reaching this view regard has also been had to the sites sustainable location with regards to proximity to public transport, as these are also relevant considerations in terms of SPD6. A condition is recommended requiring the provision of seven parking spaces located adjacent to the playing pitch to be provided prior the occupation of the first dwelling (or other such time as agreed in writing with the Local Planning Authority).

3.49 Traffic and Road Safety have not objected to the proposal. The proposals have been amended through the assessment of the application to address a number of comments and concerns including visibility, surface treatments and the provision and retention of guardrails to North Road. No concern has been raised concerning increased vehicular movements from the development or the means of access to the site. Traffic and Road Safety have advised that the off-site highway works to North Road comprising the relocation of guardrails from the west to the east of North Road should take place upon their removal and a condition is recommended in this regard.

Further guardrail details for extended sections (beyond the installation of re-used guardrails) would be agreed within the Section 278 works and an informative is recommended to advise the applicant of this requirement.

3.50 In amending the proposals to include changes to the position of the access road into the site, the existing uncontrolled pedestrian crossing to North Road will need to be removed. The relocation of this crossing is therefore required to facilitate the proposed development. Details have been submitted which identify the location of the revised pedestrian crossing and following consultation with Traffic and Road Safety the location is considered to be acceptable. A condition is recommended requiring the works to be undertaken in accordance with details and a phasing plan to identify when these works would be carried out. The cost of the works would be met by Karbon Homes.

3.51 The applicant has advised on the footpaths and roads within the scheme that are proposed to be adopted by the Council under Section 38 of the Highways Act. There are two private driveway areas, which would not be adopted and the proposed visitor parking bays to the north of the site entrance, as detailed above.

3.52 No street lighting details have been submitted and as such it is recommended that a condition is attached in this regard.

3.53 Refuse container storage would be located within the curtilage / rear gardens of the proposed dwellings and these could be pulled to identified collection points adjacent to the adopted highway for collection by Waste Services. Waste Services have been consulted on the proposals and have raised no comments following the submission of details, including vehicle tracking information.

3.54 Further informatives are suggested in relation to works requiring the consent of the highway authority and in relation to the supply of refuse containers for the future residents of the properties.

3.55 In view of the above, it is considered that the proposed development is in accordance with policies A1 and DM1(G,H and I), and SPD6 of the South Tyneside Local Development Framework.

Capitalising on our Environmental Assets / Environmental Protection

EA1 Local Character and Distinctiveness (LDF Core Strategy) seeks to conserve the best qualities of South Tyneside's built and natural environment.

EA3 Biodiversity and Geodiversity (LDF Core Strategy) - seeks to optimise conditions for wildlife and tackle habitat fragmentation.

EA5 Environmental Protection (LDF Core Strategy) – seeks to ensure that new development reduces levels of pollution and environmental risk.

DM1(K) Management of Development – Flood Risk (LDF Development Management Policies) - seeks to ensure that developments are designed to minimise and mitigate localised flood risk.

DM1(M) Management of Development - Contamination (LDF Development Management Policies) - seeks to ensure that risks of contamination have been assessed and, where necessary, remediation measures included.

DM6 Heritage Assets and Archaeology (LDF Development Management Policies) relates to the protection, preservation and enhancement of the Borough's heritage assets and their settings.

DM7 Biodiversity and Geodiversity Sites - **(LDF Development Management Policies)** is to ensure the protection and enhancement of the important environmental assets in the borough.

SPD3 Green Infrastructure Strategy - provides analysis of existing green infrastructure and sets out vision for future improvement and provision, including setting local green space standards.

SPD11:West Boldon Conservation Area Management Plan outlines a number of actions in respect of development within the immediate area of the proposed development including to protect views in and out of the village that contribute to the character and setting of the village.

Interim Supplementary Planning Document 23 – Mitigation Strategy for European Sites (recreational pressure from residential development, March 2018).

Flood Risk and Drainage

3.56 The submitted Drainage Strategy includes a proposed drainage design. Through the assessment of the application the drainage proposals have been amended to address comments from Environmental Protection and to accommodate layout changes to the proposed development. The surface water drainage will consist of permeable paved driveways with geo-cellular tank which would deal with the 1 in 100 year flood event. Environmental Protection (as Local Lead Flood Authority) have been consulted on the application and advised that appropriate calculations have been provided that demonstrate that the drainage can deal with the 1 in 100 year flood event plus climate change. An appropriate maintenance schedule is supplied for the development, however it does not state whether a maintenance company will be employed to carry out operations or Karbon Homes, a condition is included to ensure that details in this regard are provided to ensure that appropriate provisions are in place for the maintenance of the suds features.

3.57 As the sustainable urban drainage (permeable driveways and geo-cellular tanks are below ground features) a report will need to be submitted to ensure that installation has been carried out satisfactorily and in accordance with the drainage layout and drainage typical details. The report should document the methodology, installation of the geo-cellular tank and permeable driveways (which should include photographs showing relevant points of installation such as membrane placement, geo-cellular crates and depth of sub-base, confirmation of use of correct specification materials for permeable paving and include as built drawings.) The report should document a minimum of 1 in 3 plots for permeable paving driveways. It should also confirm who the contact is for maintenance. A condition is recommended in this regard.

3.58 Northumbrian Water has no objection to the applicant's proposed drainage approach provided it is done in accordance with the submitted details and that this be linked to a planning condition.

3.59 Conditions are therefore suggested taking into account the responses from Northumbria Water and Local Lead Flood Authority.

3.60 In view of the above the proposal is considered to accord with Policies EA5 and DM1(K).

Contaminated Land

3.61 Historic maps show that the site was partially occupied as an abattoir as well as being open fields before the school was built. As such there was potential for limited contamination to enter the ground.

3.62 A phase 2 site investigation was carried out and the results of the testing showed that the made ground below the site does not represent a significant risk to the end users, and will not require any removal, treatment or protection measures to be installed. However, where occasional fragments of ash were recorded in Borehole 8 and a bituminous layer was recorded below the existing floor slab, these materials will not be suitable for reuse in areas of proposed soft landscaping and should be either removed from site or if site levels allow, be placed below areas of hardstanding (i.e. buildings / access roads). On the proposed layout plan the garden of plot 13 is within this location and therefore a remediation statement for the land around this plot was requested. The Councils Environmental Protection Officer has reviewed the remediation statement and confirmed that the details are acceptable.

3.63 The ground gas on site has been monitored and the Council's Environmental Protection Officer has advised that the results have concluded that no gas protection measures will be required for the proposed development. The results have been reviewed and it is accepted that gas is not an issue for the site therefore no protection measures will be required.

3.64 Although there is no formal remediation required, Environmental Protection have advised that it should be ensured that the removal of the ash and bituminous layer would not be placed in areas with soft landscaping, as detailed within the remediation statement. Any topsoil which is brought on to site should be tested and results included within the validation report to ensure that no contamination is brought on site. A condition is recommended in this regard. A further condition is also recommended in respect of any unexpected contamination.

3.65 In view of the above, land contamination conditions are suggested and this would accord with Policies EA5 and DM1(M).

Local Character and Distinctiveness

3.66 The application site is located within the boundaries of the West Boldon Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

3.67 Local Development Framework (LDF) Policy DM6 'Heritage Assets and Archaeology' seeks to protect, preserve and enhance the Borough's heritage assets and their settings, including Conservation Areas. Policy EA1 seeks to conserve the best qualities of the Borough's built and natural environment and to preserve the special and separate character of West Boldon.

3.68 The West Boldon Conservation Area Character Appraisal identifies the former school as having an overall negative impact, but it was noted that the flat, geometric shapes intruded less on the scene than might have been expected, as their low position

compensated for the sprawling layout. The tall trees and local stone walls around the boundaries helped to tie it back into the local area.

3.69 Don Gardens, is described as a quiet, tree-lined lane with a handful of detached houses overlooking the school grounds and the bank of the river Don. Its intensification is described as likely to intrude on hillside views from the riverbanks and could dilute its secluded private character.

3.70 The Appraisal identifies the approach into the village along North Road and references the inter-war housing intruding on the view up the steep hillside east of the Road. It commends the imposing domed hillside, with only the church spire visible on the horizon, which is enhanced by the rich texture of the local stone wall and the hedgerow opposite.

3.71 Within Supplementary Planning Document 11 - West Boldon Conservation Area Management Plan, the conservation area has been divided into 12 distinct character areas. The application site is included within Character Area 3 – Don Gardens. The Management Plan identifies further the need for the open nature of the area to be protected and the protection of views in and out the village. SPD11 identifies that further intensification of development in this area should be strongly resisted. Preservation should entail the use of materials that would be appropriate to the area.

3.72 The applicant has advised within the submitted Heritage Statement that the potential for public enjoyment of the riverside area to the north of the site, which is included in the conservation area, will be maintained as will the view of the church spire across the domed hill to the east. The applicant references the former school buildings having a negative impact to the area and that the proposals will bring the demolished site back into use.

3.73 It is considered that the proposals, which would be located predominately on previously developed land, avoid extending the development to the west away from the former school site. The land to the west, the existing playing pitch is not included within the application site.

3.74 SPD11 and The Character Appraisal note the existence of the school building, which since its closure and demolition has resulted in a derelict site. Although reference is made to the further intensification of development in the area, it is considered that the redevelopment of the former school site, would not result in intensification. The former school site would be utilised for the development of housing. Consideration of the scale, design, layout and use of materials are addressed later in the report. As noted above the preservation of the area should entail the use of materials that would be appropriate to the area.

3.75 The magnesium limestone boundary walls to North Road and Don Gardens are referenced within SPD11 and the Character Appraisal, which would be retained through these proposals. Alterations, including the extension and repositioning of sections of the wall are proposed, and further openings would be created to allow for pedestrian access to the front of properties from North Road. The applicant has now confirmed that salvaged material would be used from the site and a condition is recommended that would require the approval of any imported material for the stone boundary wall prior to use.

3.76 The Council's Historic Environment Officer has been consulted on the proposals, and following initial comments relating to the use of materials, including materials for the stone boundary walls, the height of dwellings and views into the conservation area,

recommendations have only been made in respect of seeking further details for external materials to both the stone boundary wall, as detailed above and external materials to the dwellings. Conditions are recommended in respect of the submission and approval of materials. It is acknowledged that amendments have been made to the original palette of materials, however further specifications and details are considered necessary to ensure the use of appropriate materials within the conservation area.

3.77 Overall it is considered that the proposal would preserve the character and appearance of the West Boldon Conservation Area and would convey sensitive consideration to its surroundings. It would accord with adopted South Tyneside Local Development Framework (LDF) Development Management Policies DM1 (A) and DM6, Core Strategy policy EA1 and Supplementary Planning Document (SPD) 11 – West Boldon Conservation Area Management Plan.

Archaeology

3.78 The Tyne and Wear County Archaeologist has been consulted on the application and confirmed that there are no known archaeological features within the site and no archaeological work is needed with regards to this planning application.

3.79 The proposal would accord with Policy DM6 with regards to archaeology.

Biodiversity and Geodiversity

3.80 The ecological survey work concludes that the site is dominated by bare ground with newly colonised vegetation where the former school buildings were demolished. Small areas of introduced shrub are present indicating the presence of former ornamental beds. A number of semi-mature trees lie around the south, east and northern boundary of the site and continue around the periphery of the former school field which extends to the west, outside the site boundary. Overall the majority of the site is considered to be of low habitat value whilst trees are of local value.

3.81 The proposed development site is situated approximately 80m south from the River Don Local Wildlife Site (LWS), Within 2 km the Ecological Appraisal report identifies a further 15 non-statutory designated sites. The report concludes that it is considered due to the small number of units proposed, that there would be no impacts anticipated to these sites from the proposed development.

3.82 A mitigation and compensation strategy is set out in the submitted Ecological Appraisal. The impacts of this proposed development on ecology within the application site can be summarised as follows:

- Loss of approximately 0.4ha of habitats of low habitat value.
- Loss of 20 semi-mature trees of local habitat value.
- Damage to roots and crowns of retained trees.
- Risk of disturbance and/or harm to nesting birds should any tree felling or vegetation clearance be undertaken during the bird breeding season (March to August inclusive).
- Risk of harm to mammals through entrapment in works trenches.
- Loss of potential bird nesting habitat likely to be of low value.
- Loss of a small area of low quality bat foraging habitat.
- Impacts on biodiversity from increased levels of light pollution
- Increased disturbance / predation of wildlife and impacts on the nearby LWS from the recreational pressures of an increase in residents and their pets.

3.83 The Ecological Appraisal states that the mitigation hierarchy should be applied when impacts on biodiversity are anticipated from a proposed development. It is recommended that in order to address the impacts, the following mitigation and compensation measures should be secured through appropriate informatives and planning conditions, or by S106 agreements in order to accord with national and local policy and the British Standard BS42020:2013 Biodiversity – Code of practice for planning and development.

- All vegetation clearance must be timed to avoid the bird nesting season.
- Some bird nesting opportunities should be created by installing a minimum of 4 nest boxes within the development site.
- An appropriate lighting design strategy must be formulated to minimise adverse ecological impacts.

3.84 Furthermore, in respect of proposed off site replacement planting, mitigation for the loss of the 20 trees, the Ecological Appraisal states; *"Where trees are to be lost to the development, these will be replaced on a 2:1 basis."* Further consideration of the proposed replacement planting scheme to be secured through Section 106 agreement is addressed within paragraph 3.109 of this report.

Habitat Regulations Assessment (HRA)

3.85 The Habitats Directive relates to European Protected sites which include the SPA and SAC on the coast. The UK Habitat Regulations are used to implement the Directive and require a Habitat Regulations Assessment to be made when a project is likely to have a significant effect on a European site. Where a project may be capable of affecting a SPA/SAC a screening assessment must be carried out by the applicant and assessed by the local planning authority in terms of the significance of the impact.

3.86 The proposed development is located within the 6km buffer zone of the following European designated sites:

- Durham Coast Special Area of Conservation (SAC),
- Northumbria Coast Special Protection Area (SPA),
- Northumbria Coast Ramsar Site.

3.87 The applicant has submitted a Report to Inform an Appropriate Assessment, Habitat Regulations Assessment. The report concludes that there will be no direct impacts on the European Sites from the proposed development. The report indicates that indirect impacts on the features of the European Sites from increased recreational activity at the coast cannot be ruled out and therefore mitigation measures are proposed.

3.88 The HRA Screening Opinion Report sets out the mitigation measures to avoid and minimise the Likely Significant Effects (LSE) on the European designated sites in accordance with the South Tyneside Interim SPD 23 – Mitigation Strategy for European Sites. The applicant has identified a financial contribution to be made per dwelling in order to contribute to the identified coastal access management.

3.89 With regards to Habitats Regulations Assessment, both Natural England and the Council's Countryside Officer do not object to the proposal; subject to the proposed mitigation being secured and carried out. The Council's Countryside Officer has concluded that by taking account of all of the mitigation measures incorporated into

the development, that the proposal will not have any likely significant effects on the designated sites and can be 'screened out' from further consideration under the Habitat Regulations.

3.90 The applicant has agreed to enter into a planning obligation with regards to the provision of the HRA mitigation. It is considered that in view of the above the proposal would accord with Policies EA3 and DM7.

Other Development Management Policies

DM1(A) Management of Development – Design (LDF Development Management Policies) – seeks to ensure that developments are designed to convey sensitive consideration of surroundings.

DM1(B) Management of Development – Residential Amenity (LDF Development Management Policies) - seeks to ensure that developments are acceptable in relation to any impact on residential amenity.

DM1 (C) Management of Development - Landscaping (LDF Development Management Policies) - seeks to ensure that developments protect or replace existing landscaping.

SPD9 Householder Developments: provides guidance in relation to extensions and alterations to existing dwellings.

Layout, design and visual amenity.

3.91 The layout has grouped housing in a mix of semi-detached and detached properties in short lengths and terraces. The housing would be traditional in style with detail provided through the use of cills, lintels, windows and dormer windows. A facing brick is proposed, with areas of render and a concrete roof tile depending on the house type proposed.

3.92 The proposal has been developed with an active and prominent frontage onto North Road, with site access also from North Road. Amendments to the site access have been submitted moving this further north and introducing a corner turning property with windows to the front and side elevations to create an active frontage and provide natural surveillance and overlooking. The layout has been amended to partially address concerns relating to the loss of trees on site and further requirements to accommodate additional car parking to serve the residential development and users of the playing pitch. The applicant has reviewed the layout and in positioning the access further north has retained trees to the northern boundary of the site, which provides a visual buffer looking towards the site and enhancing the visual amenity of the area and character of the conservation area.

3.93 In terms of the heights of the properties, representation has been received concerning the heights of the dwellings. The development has been amended through the mix of dwelling types and now includes both two storey and two and a half storey dwellings (accommodation being located within the roof space). Details have been submitted to show the respective ridge heights and floor levels of the proposed dwellings shown in context to existing dwellings in North Road and Don Gardens. It is considered that the positon of the dwellings in relation to their respective heights has been fully considered and would not be unacceptable within the locality and in respect of views towards the conservation area. The Conservation Area Management Plan identifies the need for the open nature of the area to be

protected and the protection of views in and out the village. The views along North Road would be altered through these proposals, including the loss of trees along North Road, however it is considered that the development would be seen within the context of a backdrop of existing residential properties and would be predominantly sited on previously developed land, retaining the existing playing pitch and open nature of this land to the west of the application site. The view up the steep hillside to the east of North Road, with the church spire visible on the horizon would not be eroded through these proposals.

3.94 Boundary treatments have been amended following assessment of initial proposals and a 1800mm high open board fence is now proposed between the application site and playing pitch, addressing Sport England's concerns relating to conflict of neighbouring uses. The boundary to North Road has been revised retaining the use of magnesium limestone, creating a quality boundary treatment along this visible length of enclosure. Rear divisional fences and boundary treatments to enclose rear and side garden areas comprise a number of designs, including 1500mm high fencing and1800mm close boarded fencing. In respect of boundary enclosures a condition is recommended removing permitted development rights for the erection of gates, fences, walls or other means of enclosure within the front curtilage of the dwelling facing North Road to safeguard the character and appearance of West Boldon Conservation Area which might be harmed by development that otherwise would be permitted development.

3.95 Detailed design comments have been received from representations. It is considered that the amended layout and design of the proposed dwellings are acceptable. The design of the proposed houses reflects the mix of property types within the wider village, with no one property type dominating.

3.96 Details of the external materials for the dwellings and means of enclosure (i.e. fences/gates) have been submitted and these are considered to be acceptable. As detailed above a planning condition is recommended seeking additional details for external materials to the dwellings.

3.97 Details have been submitted for hard surface treatments, including permeable paving and following consultation with Traffic and Road Safety, details are considered to be acceptable.

3.98 The Council's Landscape Officer has reviewed the proposals and has advised that whilst an indicative soft landscaping plan has been submitted, full details including a planting specification, would need to be agreed by condition. Maintenance details would also need to be submitted for approval. The applicant has advised that respective plots would be maintained by the residents and further areas of open space, such as those adjacent to the playing pitch would be maintained by Karbon Homes.

3.99 In view of the above, the proposal would accord with Policy DM1(A) and DM1(C).

Residential Amenity

3.100 The layout and design of the proposal is considered to be acceptable in terms of ensuring a reasonable level of amenity for the future occupants of the proposed new dwellings.

3.101 Supplementary Planning Document 9 (SPD9) providing guidance for householder and residential development seeks to maintain a reasonable outlook from habitable room windows and it generally seeks to ensure that there is a distance of more than 14 metres between habitable room windows of neighbouring properties, especially where windows in properties are directly facing each other. It is considered that the proposal would maintain a reasonable outlook from habitable windows with adequate separation distances between elevations containing habitable room windows.

3.102 In amending the proposals the height of dwellings and site levels have been reviewed, with the original inclusion of three storey dwellings on the site being omitted. There would be a ridge height difference of 0.79 metres between no. 7 North Road and plot 10, and a ridge height difference of 1.95 metres between no. 3 Don Gardens and plot 13. Whilst the proposed properties would be taller than the existing properties, it is not considered that the height of these properties would be over dominant or result in an unreasonable outlook. Due to the orientation of the development site, located to the north of Don Gardens, there would be no resultant issues of over shadowing.

3.103 The gable elevation of no. 7 would face onto the side elevation of plot 10, a blank gable containing no windows or openings. There would be a separation distance of 9.6 metres between facing gable elevations with the intervening highway of Don Gardens and existing boundary walls retained. In respect of plot 13 and the orientation and position of the dwelling to no. 3 Don Gardens, the properties are slightly offset; approximately half of no. 3 Don Gardens would face towards the gable elevation of plot 13 and the remainder facing onto the front garden and in- curtilage parking to plot 13, set behind the retained stone boundary wall. There would be a separation distance of 9 metres between the front elevation of 3 Don Gardens and plot 13 with intervening highway in-between. In respect of no. 5 Don Gardens, this property would face onto the rear garden area of plot 13. The gable elevation of No. 1 Rectory Green would similarly face onto garden and amenity areas serving plots 10 and 11.

3.104 It is therefore considered that in terms of the existing properties that surround the planning application site, the proposed layout and design is not considered to materially harm these neighbouring occupiers in terms of outlook, privacy or overshadowing in accordance with LDF policy DM1 and associated guidance contained in SPD9.

Landscaping and Trees

3.105 The original submitted proposals required the removal of all trees within the site. Following consultation with the Council's Tree Team and Senior Landscape Architect, who raised objection to the loss of a significant number of mature trees within the site, including category A (high quality trees) and category B (moderate quality) trees, the applicant reviewed the layout to retain where possible, trees within the site. However the objection from the Council's Senior Landscape Architect and Tree Team has been maintained due to the loss of trees.

3.106 The application site is highly constrained; firstly in terms of viability to deliver a 100% affordable housing scheme; to provide an appropriate means of access taking into

consideration visibility, existing highway junctions and the location of the bus stops; drainage; site levels and topography; the need to accommodate sufficient amenity space; provide parking for both the residential properties, visitors and users of the playing pitch; and to provide pedestrian and maintenance access to the playing pitch. These constraints and competing demands have informed the layout and the subsequent need for the removal of one category A tree, eleven category B and eight category C (low quality value) trees, located to the east and south of the site, the majority being located along North Road. Seven trees to the northern boundary within the application site and a further two trees along the northern boundary within the playing pitch would be retained through the revised proposals.

3.107 Following the submission of the planning application, which identified the loss of trees to the site, a provisional Tree Preservation Order (TPO no. 355) for 22 no. trees was made. The six month provisional TPO when confirmed will make the TPO permanent. In response to the Council's publicity exercise relating to the provisional TPO, one letter of objection from the applicant and two letters of support from neighbouring residents were received. The letters of support welcomed the protection of the trees, as they created a wildlife habitat and they contributed positively towards the amenity value of the area. Further representations have also been received in respect of the loss of trees through the planning application notification and advertisement.

3.108 The Council's Senior Landscape Architect and Tree Team in assessing the amended proposals maintain their objections to the application and the loss of trees. Concern has been maintained about the number of trees that will be felled along the boundary with North Road due to these trees being the most visible and so contributing most to the amenity of the area. Reference has been made to consideration of some selective felling to facilitate the development, but it is considered that some of the finer, category A and B trees need to be retained along this boundary as the loss of these trees will have a detrimental impact on the visual amenity of the area.

3.109 The decision to recommend the approval of the application and the resultant loss of the trees, specifically those along North Road, which contribute to the visual amenity of the area has been a finely balanced decision, however significant weight has been given to the need to provide affordable housing in this locality and the need to redevelop this constrained site. The former school building sat centrally within the plot whereas the demand is for semi-detached housing. The site constraints have highlighted the developable area within the site and necessitate the need for tree removal to enable the site to be developed for affordable housing. The contribution that the trees make to the locality in terms of visual amenity and biodiversity, is recognised and in order to mitigate the loss of the trees the applicant has agreed to the inclusion of an obligation within the S106 agreement to secure replacement planting in the immediate area; land directly opposite the site (known locally as the Leap) has been considered. A financial contribution for the replacement of trees to give immediate visual impact, i.e. light standard or larger standard trees and their future maintenance will be secured through S106. The terms of the replacement tree planting will be finalised through the drafting and completion of the S106 agreement. It has been suggested that replacement tree planting could take place on Council owned land opposite the application site (known as The Leap).

Other matters

3.110 With regards to comments received in respect of the loss of views, a loss of view is not a material planning consideration.

3.111 A comment was received from a local resident referencing the impact of the proposal on property values. This is not a material planning consideration.

4.0 Conclusion

4.1 The proposal is considered to be acceptable in terms of its layout and design, impact on the general character of the area, amenities of the neighbours, highway safety and council objective of delivering sustainable development.

4.2 The potential environmental impacts of the proposal would not be harmful, subject to the conditions suggested.

4.3 The proposal is not considered to give rise to any likely significant effects upon Natura 2000 sites, subject to the proposed mitigation and a planning obligation in this regard.

4.4 The proposal is considered to accord with the Local Development Framework policies to be taken into account having regard to all relevant material planning considerations.

5.0 Recommendation

a. It is recommended that the Planning Committee indicate that it is minded to grant planning permission, subject to the schedule of planning conditions, as detailed below and the completion of a legal agreement that would seek :

- To secure a scheme of replacement tree planting off-site within the West Boldon area
- To ensure that 25% of the development is allocated for affordable housing, and
- To secure a planning obligation that would provide a financial contribution to mitigate the potential impact on the Northumbria Coast Special Protection Area and/or Durham Coast Special Area of Conservation, through increased visitor numbers, as a result of the development referred to at paragraphs 3.85 – 3.90 of this report,

b. In the event that a Legal Agreement has not been signed and completed by the date of the Planning Committee, it is recommended that the Head of Development Services be authorised to issue the planning permission following completion of the legal agreement.

Schedule of planning conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Drg no. (00)300 rev U received 12/04/2019
Drg no. (90)310 rev I received 12/04/2019
Drg no. 006-01 rev C received 08/05/2019
Drg no. (00)350 rev H received 03/05/2019
Drg no. (00)305 rev N received 08/05/2019
Drg no. (00)600 rev E received 12/04/2019
Drg no. 003-01 rev 0 received 11/04/2019
Drg no. (00)510 rev D received 12/04/2019
Drg no. (00)310 rev E received 12/04/2019
Street Section A-A received 12/04/2019
Drg no. (00)360 rev A received 12/04/2019
Drg no. (00)340 rev E received 12/04/2019
Drg no. (00)320 rev D received 12/04/2019
Drg no. (00)370 received 12/04/2019
Drg no. (00)355 received 26/04/2019
Drg no. 007-01 rev D received 08/05/2019

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

Drainage

3 The hereby approved development shall be completed in accordance with the drainage scheme contained within Drg no. 003-01 received 11/4/2019 entitled 'Engineering Layout. The drainage scheme shall ensure that foul and surface water flows discharge to the combined sewer downstream of manhole 8101 with surface water being restricted to 3.7l/sec.

To ensure the discharge of surface/foul water from the site does not increase the risk of flooding in accordance with Policies DM1 and ST2 of the South Tyneside Local Development Framework.

Sustainable Drainage - construction

4 None of the dwellings hereby permitted shall be occupied until (a) The approved sustainable drainage system (geo-cellular tank and permeable driveways) shown on Drawing Number 000-02 Rev A (Drainage Strategy Layout), typical details drawing no 005-03 (Aqua-cell typical details) and drawing no 005-04 (Private drainage and permeable Paving construction typical details) have been completed on site in accordance with the approved details and (b) A verification report has been submitted to and approved in writing by the Local Planning Authority evidencing the completion of the approved sustainable drainage system (geo-cellular tank and permeable driveways), the contents of which is to include amongst other things methodology of installation, evidence of depths and dimensions and supporting images from installation).

To ensure the discharge of surface water from the site does not increase the risk of flooding in accordance with Policies ST2 and DM1 of the South Tyneside Local Development Framework.

Sustainable Drainage – management and maintenance

5 Prior to the occupation of the first dwelling (or other such time period as agreed in writing by the Local Planning Authority pursuant to this condition) a detailed management and maintenance plan for the lifetime of the approved sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then coincide with the first occupation of the hereby approved development (or other such time period as agreed in writing by the Local Planning Authority pursuant to this condition).

To ensure the discharge of surface water from the site does not increase the risk of flooding in accordance with Policies ST2 and DM1 of the South Tyneside Local Development Framework.

Verification report

6 Following completion of measures identified in the approved remediation statement 'West Boldon School Site Remediation Statement' produced by Gus Robinson Developments Ltd received 08/03/2019, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the site being occupied.

To ensure that remediation around the garden area of plot 13 is undertaken and no contamination is brought to site ensuring that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with Policies DM1 and EA5 of the South Tyneside Local Development Framework.

Unexpected contamination

7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Sufficient detail should be provided identifying how the unexpected contamination will be dealt with.

Development shall be carried out in accordance with the approved details.

To ensure that risks from land contamination to the future users of the development site and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with Policies DM1 and EA5 of the South Tyneside Local Development Framework.

Highway works / off site highway works

8 Prior to any works commencing on site, a phasing plan and associated details for the construction of the following works shall be submitted to and agreed in writing by the local planning authority:

i) The repositioning of the off-site pedestrian guard railings adjacent to the site and within the adopted public footway in accordance with Drg no. (00)305 rev N received 08/05/2019,

ii) The construction of the access road to serve the new housing development as shown on Drg no. (00)300 rev U received 12/04/2019, and

iii) The repositioning of the off-site uncontrolled pedestrian crossing to North Road as detailed on Drg no 006-01 rev C received 08/05/2019.

The development shall then be undertaken in accordance with the approved details.

To secure the completion of these off site highway works, in the interests of safeguarding highway safety in accordance with adopted South Tyneside Local Development Framework Policy DM1 (G).

9 Prior to the commencement of development a phasing plan and associated details to provide pedestrian and playing pitch maintenance vehicle access for the existing playing pitch through the application site during construction works shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure a satisfactory and safe means of continued access to the playing pitch during the construction period for pedestrian and playing pitch maintenance vehicles, in accordance with policy SC6 of the South Tyneside Local Development Framework.

Residential amenity

10 No construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Friday and 8am - 1pm Saturdays and no such works or deliveries shall be carried out at any time on Sundays or Public Holidays.

To safeguard the amenity of the nearby residents in accordance Policy DM1 of the South Tyneside Local Development Framework.

Boundary treatments, means of enclosure and access

11 Notwithstanding the provisions of Article 3 and Class A of Part 2 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the front curtilage of the dwellings facing North Road (plots 1-10, as detailed on Drg no. (00)300 rev U received 12/04/2019) without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

To maintain control over any future harmful boundary treatment works that may have otherwise benefitted from permitted development, in the interests of safeguarding both the character and appearance of West Boldon Conservation Area in accordance with Policies DM1 and DM6 of the Local Development Framework.

12 The hereby approved works to create the pedestrian openings and the infilling works to the existing magnesium limestone boundary walls to the eastern and southern boundaries shall only be carried out using salvaged magnesium limestone from the existing wall, as shown on Drg no. (00)305 rev N received 08/05/2019 and Drg no. (00)600 rev E received 12/04/2019. Any imported stone shall not be used without the prior written approval of the Local Planning Authority. The development shall be completed in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6.

13 The detailed design and dimensions of the new gates providing access to the existing

playing pitch shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be completed on site prior to the first occupation of the hereby approved scheme and the location of the gates shall accord with the approved details provided on Drg no.(00)305 rev N received 08/05/2019.

To ensure a satisfactory standard of development and in the interests of visual amenity and to maintain pedestrian and playing pitch maintenance vehicle access to the existing playing pitch in accordance with Development Management Policy DM1 and policy SC6 of the South Tyneside Local Development Framework.

Car parking

14 Prior to occupation of the first dwelling hereby approved the seven car parking spaces to serve the users of the adjacent playing pitch as shown on Drg no. (00)355 received 26/04/2019, shall be completed on site in accordance with these submitted details unless a phasing plan to secure their completion on site has otherwise been agreed in writing by the Local Planning Authority pursuant to this condition. These pitch parking spaces shall then be maintained henceforth for their designated purpose.

To ensure that there is adequate car parking for the existing playing pitch in the interests of highway safety in accordance with policies DM1, A1 and SC6 of the South Tyneside Local Development Framework.

15 Prior to the commencement of development a physical barrier separating the application site from the existing playing pitch (such as Herras fencing or similar) to maintain both pedestrian and playing pitch maintenance vehicle access to the existing playing pitch and to provide a temporary means of enclosure along the western and north western boundaries of the application site shall be erected and maintained during the whole construction period.

In the interests of health and safety and to safeguard the playing surface of the pitch from damage during the construction phases of the development, in accordance with policy SC6 of the South Tyneside Local Development Framework.

Ground levels

16 The development shall be carried out in accordance with the proposed ground levels, finished floor levels and ridge heights shown on Drg no. (90)310 rev I, received 12/04/2019, Drg no. (00)510 rev D, received 12/04/2019, and Street Section A-A received 12/04/2019. Unless alternatives have been previously submitted to and agreed in wiring by the Local planning Authority pursuant to this condition and development is then carried out in accordance with them.

To safeguard the amenities of the occupiers of existing neighbouring dwellings and in the interest of visual amenity in accordance with Policies DM1 and DM6 of the South Tyneside Local Development Framework.

Materials and surface treatments

17 Notwithstanding the details submitted, prior to the commencement of the development samples and details of all external materials for the dwellings hereby approved, shall be submitted to the local planning authority and approved in writing. All works shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in

accordance with Local Development Framework Policies DM1 and DM6.

18 Prior to works commencing on the hereby approved playing pitch parking spaces (numbered 5, 6 and 7 on Drg no. (00)355 received 26/4/2019) details of the proposed surface treatment for these parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be carried out in accordance with the approved details.

To safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6.

Trees

19 No works shall be undertaken and no plant, machinery or building materials shall be brought to site until detailed tree protection measures and special construction measures in accordance with BS5387 'Trees in Relation to design, demolition and construction' 2012, and NJUG guidelines for the retained trees adjacent to the northern boundary of the site (numbered: T24 - T31 within the Arboricultural Impact Assessment report dated April 2019 and Drg no. ARB/CP/1993/RRP received 12/04/2019) have been approved in writing by the Local Planning Authority. The development must then be undertaken on site in strict accordance with the approved details and the protective barriers and ground protection measures shall be maintained in position and in good order during the whole period of construction works on site.

To ensure that existing trees within and adjacent to the site, several of which are the subject of a Tree Preservation Order, are adequately protected during the period of construction works and to safeguard the character and appearance of the West Boldon Conservation Area in accordance with Local Development Framework Policies DM1 and DM6 and EA1.

Landscaping

20 Notwithstanding the indicative details shown on drawing number (00)350 rev J received 26/04/2019 and Drg no. 006-01 rev C received 08/05/2019, before the first occupation of any dwelling hereby permitted, a detailed soft landscaping planting plan/specification including a phasing plan to secure the completion of the proposed soft landscaping, the type, height, species and location of any new trees and shrubs as well as any proposed seeding or turfing, topsoil depths and planting specification shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Any trees or plants, which within a period of 5 years of planting, die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species not later than the next planting season after the loss or damage has occurred (unless otherwise agreed in writing by the Local Planning Authority).

To safeguard the character and appearance of the West Boldon Conservation Area in ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

21 Before the first occupation of any dwelling hereby permitted, details for the landscape management and maintenance of the soft landscaping scheme approved under condition

20 shall be submitted to and approved in writing by the Local Planning Authority and subsequently carried out in accordance with the approved details for the lifetime of the development.

To safeguard the character and appearance of the West Boldon Conservation Area in ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

External lighting

22 Before the first occupation of any dwelling hereby permitted, full details (including a phasing plan to secure its completion on site, drawings and/or specifications) of the proposed external lighting to serve the entire development shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the approved details.

In the interests of both visual and residential amenity in accordance with Policy DM1 of the South Tyneside Local Development Framework.

Bird Boxes

23 Prior to the commencement of development above ground level, details of the type, size and location of 4 no bird boxes along with a phasing plan to secure their completion on site shall be submitted to and approved in writing by the Local Planning Authority. The approved details must then be completed on site.

In accordance with the recommendations of the applicant's Ecological Survey received 26/02/2019 and to retain nesting sites for birds in accordance with Local Development Framework, Core Strategy policy EA3 and Development Management policy DM7.

INFORMATIVES:

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

3 The Council requires the developer to provide to each unit before first occupation a 240l refuse bin and a 240l recycling bin to the Council's specification in order that the council can fulfil its obligation to collect and dispose of household waste. Details of the Council's specifications can be obtained from Waste Services at South Tyneside Council

4 NOTE TO APPLICANT

Alterations to the existing adopted highway or creation of new highway proposed for adoption will require the separate approval of the Highway Authority under the provisions of the Highways Act 1980 (as amended). Please contact Highway Engineering Services, Adoptions and Projects Team, for further information on 0191 424 7507.

5 NOTE TO APPLICANT

Guardrail details shall be included within the Section 278 works.

6 NOTE TO APPLICANT

Guardrail details and works to the North Road frontage shall be included within the Section 278 works.

7 NOTE TO APPLICANT

No removal of hedgerows, trees or shrubs or other vegetation or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the work is carried out.

8 NOTE TO APPLICANT

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

GEORGE F.WHITE

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Barnard Castle	t 01833 690390
Bedale	t 01677 425301
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Duns	t 01361 883488