GEORGE F.WHITE



PLANNING STATEMENT

Former C of E Primary School,

West Boldon

Telmac Developments Ltd

September 2021

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INTRODUCTION

1.1 George F. White (Planning, Architecture and Development) have been instructed by Telmac Developments Ltd (the 'Client') to submit a detailed planning application for the construction of 5 detached dwellings and associated works on the former C of E Primary School, North Road, West Boldon.

1.2 The proposal follows a couple of recent applications for residential schemes ranging from 14-16 dwellings. However, due to concerns relating to the loss of trees, the previous schemes were not approved. The current application has directly addressed these concerns by proposing a much reduced scheme which allows for the retention of all the trees on the site.

1.3 Along with addressing the primary concerns relating to the loss of trees, the scheme continues to deliver planning benefits, including the delivery of housing on previously developed land.

1.4 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.

SITE AND SURROUNDINGS

2.1 The application site is situated in the settlement of West Boldon. It used to accommodate West Boldon C of E 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 site area has been reduced when compared with the previous planning applications, as it now omits the land to the north, which comprises an area of green amenity space leftover from when the school was in use. There is an existing access that passes across this land to a playing field sited to the west of the hardstanding. The playing field is allocated in the Local Development Framework as 'recreational open space/playing field', albeit the designation is based on an out of date OS plan and is of low resolution. The application site has an existing access on the southern end of the site's frontage, which links to North Road.





2.2 The school building formed part of 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, albeit this is centred around an area of undeveloped land owned by the Council known as The Leap. 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 designations in terms of landscape, biodiversity or cultural heritage.

2.6 During the consideration of the previous application for 16 dwellings, the Council issued a provisional Tree Preservation Order (Ref: TPO NO.355) on 22 of the trees.

PROPOSED DEVELOPMENT

3.1 The proposal is to construct a total of 5 detached dwellings. These are to be sited on the previously developed part of the site. The development will result in a greater amount of undeveloped area when compared with existing.

3.2 The existing southern access will serve the proposed dwellings. The principle of this approach has been discussed and agreed with the local highway authority. The northern access, which serves the playing fields has been omitted from the application, and will simply continue to serve the playing field. Dedicated visitor spaces for the residential development will be provided within the application site.

3.3 The key consideration in preparing the scheme was to retain as many of the trees as possible. This was in order to reflect the previous appeal decision and recent discussions with the Council officers who made it clear that the key consideration was to retain the trees wherever possible.

3.4 The previous schemes were for affordable dwellings. To make their delivery viable, the scheme had to deliver 14+ dwellings. Despite the best endeavours of the previous applicant, it became apparent that this could not be achieved without the removal of several trees from the site.

3.5 The current proposal is for a reduced number of dwellings, which allows all the trees to be retained whilst meeting all other planning requirements, which will be set out in further detail throughout this statement.

3.6 The applicant and their design team has worked hard to produce the submitted scheme. It is considered that it has responded positively to all previous comments made by officers, consultees and local residents.

3.7 The scheme has been developed with input from drainage, conservation, tree, ecology and engineering consultants to ensure a technically compliant scheme has been prepared.

Delivery of Development

3.8 The changes to the scheme allow for easier separation of the playing field access during the construction phase. It is currently envisaged that a herras or timber hording will be erected early in the construction phase, which will extend along the back to the northern most dwellings and wrapping around the gable ends of the southern most dwellings, which will fully separate the site from the football pitch and it's access.

3.9 This will allow the playing field access to operate during the entire build no differently to its existing operation.

PLANNING BACKGROUND

Planning History

LPA Ref	Description of Development	Decision
ST/0676/19/FUL	Erection of 14 no. 3 and 4 bed residential units including associated access, infrastructure and landscaping.	Withdrawn
ST/1087/18/FUL	16 no. residential dwellings, associated access, infrastructure and landscaping	Appeal Dismissed – November 2019

4.1 The previous application (ST/1087/18/FUL) for 16 dwellings was determined at planning committee. The scheme required the removal of 14 trees along the eastern boundary ,which adjoins North Road. The Planning Officer's Committee Report recommended approval of the application and included reference to the consultation responses.

4.2 In concluding, the officer stated 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 were 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.

4.7 A subsequent appeal was submitted to the Planning Inspectorate but was dismissed in November 2019, primarily due to ‘less than substantial harm’ to the conservation due to the loss of trees. However, in dismissing the appeal the Planning Inspector noted that the scheme would deliver benefits including the redevelopment of previously developed land.

4.8 Prior to the appeal decision being determined, a revised application (ST/0676/19/FUL) for 14 dwellings was submitted to the Council. The reduction in housing numbers allowed for the retention of some additional category A trees.

4.9 The previous applicant entered into discussions with the Council. However, it became evident that the Council retained their concerns in respect of the number of trees that had to be removed, alongside concerns with the impact the retained trees may have on the amenity of future residents (e.g. overshadowing to main habitable rooms). As the scheme that was presented was the optimum layout, having regard to all the site constraints, the applicant decided to withdraw the application as a suitable scheme that delivered the required quantum of development to make the scheme viable, alongside the need to retain trees was not possible to deliver.

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.

5.2 The Ministry of Housing, Communities and Local Government released the new National Planning Policy Framework in July 2018 (The Framework), with further alterations in February 2019 and July 2021. The document replaced the first National Planning Policy Framework published in March 2012. It sets out the Government's planning policies for England and how these should be applied and sets out a framework within which locally prepared plans for housing and other development can be produced.

5.3 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.

5.4 It is therefore anticipated that the planning application will be considered against the National Planning Policy Framework (NPPF), with regard being had, where relevant, to the statutory development plan.

Statutory Development Plan

5.5 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.

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

5.7 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.

Emerging Local Plan

Pre-Publication Draft (August 2019)

5.8 Draft policy H3 relates to Housing Allocations and Commitments. The policy is supported by a table identifying all the (proposed) allocated sites and commitments. This includes the application site, which is identified as site ref: H3.63.

5.9 Draft policy H10 relates to housing mix. The supporting text makes reference to the supporting evidence base, including the South Tyneside SHMA 2013 and the SHMA update 2015, which provides information on the housing need in the Borough as well as information on the type and size. In relation to Executive Housing, it states:

'Executive housing can be broadly defined as accommodation suit to the needs and aspirations of households with higher incomes. The availability of desirable, high value homes can help to encourage investment and raise the profile of an area, which then can positively impact on economic growth and overall prosperity.

Currently in the borough only 8% of properties, of the total housing stock, are detached homes. Within the North East, 14% of homes are detached and this is compared to 23% nationally. There are a total of 370 properties (0.40% of the total housing stock) in Bands G & H within South Tyneside which is a third of the north east average and 3.7% lower than the average in England.

Executive housing is currently under-represented in dwelling stock in the North East region generally and the SHMA highlights the importance of having this type of stock to encourage and retain investment in the area. The distinctive features of executive housing are high property values, high incomes and high quality of design, construction and finish of properties.

In South Tyneside executive housing provision will have a role in response to the need for diversification and expansion of the sub-region's economy and in contributing towards achieving wider population and economic growth objectives for the Region.'

PLANNING ASSESSMENT

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

- Principle of Development;
- Open Space Considerations;
- Design and Amenity;
- Access and Highways;
- Flood Risk and Drainage;
- Ecology; and
- Landscaping, Trees and Hedges

Principle of Development

6.2 The site is previously developed, located in 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 help meet a demand for larger detached 'executive' properties, thereby meeting the requirements of policy SC4, alongside addressing the identified site constraints. It is also noted that the most recently published version (Pre-Publication) of the new Local Plan highlights the importance of delivering additional 'executive' housing in order encourage and retain investment in the area. Whilst the policies in the plan can only be afforded limited weight, the supporting evidence base (e.g. SHMA) is an important consideration. The applicant has also discussed the project with some of the neighbouring occupants who have welcomed the type of dwellings proposed.

6.5 The design is of a good standard and even with a reduced number of houses, the scheme incorporates a mix of dwellings, meeting the requirements of policy SC4. The mix and type also complement the surrounding development and perhaps most importantly, allow the site specific constraints to be addressed.

6.6 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.

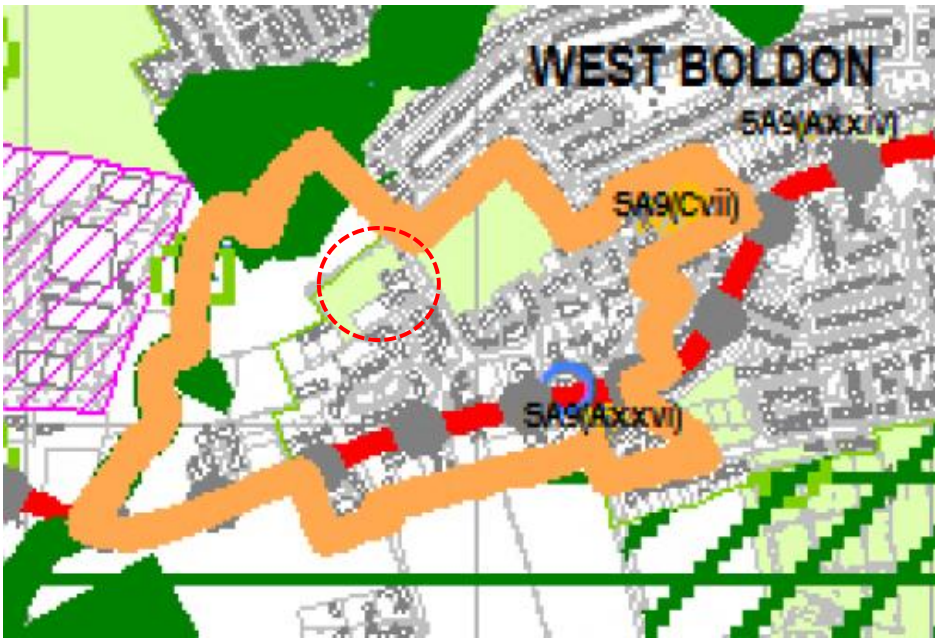
Open Space Considerations

6.7 The development site comprises the previously developed element of the former West Boldon Primary School (Strategic Land Review[1] ref. BC13a) consisting of the area previously occupied by the school buildings and play yard. The school field (Strategic Land Review ref: BC13b) sitting immediately to the west is not affected by the current proposals. 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.

6.8 The current playing fields are designated as recreational open space and playing fields in the Local Development Framework. The playing field does 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.

6.9 The playing pitch is shown on the Site Specific Allocations DPD Proposals Map as an area of Strategic Recreational Open Space and Playing Fields. It should be noted that this designation is made on an out of date OS base and is low resolution.

[1] The Strategic Land Review was published in January 2018 and forms part of the evidence base for the Council's new Local Plan.



Extract from Site Specific Allocations DPD Proposals Map

The site is identified by the red circle.

Light green shading represents Strategi Recreational Open Space and Playing Fields.

6.10 The previous applications for 14-16 dwellings includes the land to north within the application site. This is the area of land that provides access to the playing fields. However, the reduction in housing numbers means that only a small section of land along the roadside boundary is included in the development site boundary.

6.11 As a result, there will be limited impact on greenfield land that is located within the open space designation. Therefore, unlike the previous applications, there is a reduced justification to mitigate against the loss of open space.

6.12 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. A supporting Open Needs Assessment is provided as part of this application.

Design and Amenity

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

6.14 Proposed materials are detailed within the accompanying technical drawings but consist of red - facing brickwork w pitched tiled roofs.

6.15 The layout of the site plan is a response to the site constraints, with key considerations including the retention of trees and preserving the character and appearance of the Conservation Area, bearing in mind the site previously accommodated a primary school.

6.16 Key points are:-

- The site is accessed from North Road – one of the main through ways within the immediate area.
- 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.
- Generous spacing around the dwellings, allowing the retention of trees and avoiding the potential for future harm in terms of overshadowing from trees.
- Retention of stone boundary wall fronting North Road, in combination with the retention of all the trees along the frontage, will filter views of the built form.

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

Access and Highways

6.18 In determining the previous applications, the local highway authority confirmed that they were able to support the schemes in relation to car parking provision, and traffic and road safety.

6.19 The current scheme is considered to provide an improved arrangement. The existing southern access will serve the residential development only. In addition to providing 2+ spaces per dwelling, 2 on-site visitor spaces have also been provided, which meets the Council's parking guidelines.

6.20 The existing playing field access no longer forms part of the application site. However, the proposed development will have no impact on its operation.

Flood Risk and Drainage

6.21 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.

Ecology

6.22 An updated Ecological Impact Assessment has been prepared by E3 Ecology. The report acknowledges the retention of trees and confirms that there are no ecological constraints to the proposed development. It includes some potential ecological enhancements, including bird and bat boxes.

Landscaping, Trees and Hedges

6.23 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.

6.24 There are a number of trees on site and the accompanying Tree Survey/Constraints report provides further detail of their quality and condition.

6.25 The proposal is able to retain all the trees. They layout has also given full consideration to the impact of the retained trees on residential amenity. The submitted design will ensure that there is no future pressures to remove trees due to impacts of overshadowing.

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 where the development plan is considered to be up to date.

7.2 The proposed development should therefore be considered acceptable and approved without delay.



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