DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0576/23/COND
Proposal: Discharge of Condition 3 (Foul and Surface Water Disposal), 6 (Playing Pitch Access), 8 (Boundary Treatments), 12 (Materials), 15 (Habitat Management and Monitoring Plan), 16 (Ecology Method Statements), 18 (External Lighting), 19 (Construction Method Statement), and 22 (Details of Car Parking) relating to previously approved planning application ST/0139/22/FUL
Location: Vacant Formerly Boldon C of E Primary School
Rectory Bank/North Road
Boldon Colliery
NE36 0QE

Site Visit Made: N/A

Relevant policies/SPDs

1 DM1 - Management of Development [conditions 3, 8, 12, 15, 16, 18, 19 and 22]

2 DM6 - Heritage Assets and Archaeology [conditions 8 and 12]

3 DM7 - Biodiversity and Geodiversity Sites [conditions 8, 15, 16 and 18]

4 LDF CS EA3 - Biodiversity and Geodiversity [conditions 8, 15, 16 and 18]

5 LDF CS SC6 - Providing for Recreational Open Space, Sport and Leisure [condition 6]

6 LDF CS ST2 - Sustainable Urban Living [condition 3]

Description of the site and of the proposals

Planning permission (application reference ST/0139/22/FUL) was granted for the redevelopment of the former Boldon Church of England Primary School, North Road, West Boldon for 5 no. residential dwellings, with associated access, amenity space, landscaping, and car parking associated with the playing field.

Planning permission was granted subject to conditions.

Details within this request are for the following nine planning conditions.

Condition 3 stated;

Prior to the commencement of development (excluding preparatory groundworks) a detailed scheme for the disposal of foul and surface water from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Local Highway Authority. Development shall thereafter take place in accordance with the approved details.

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

Condition 6 stated;

Prior to the commencement of development above damp proof course level, a scheme to provide continued access for pedestrians and playing pitch maintenance vehicles during the construction of the paying pitch car park, 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.

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 the NPPF and policy SC6 of the South Tyneside Local Development Framework.

Condition 8 stated;

Notwithstanding the details submitted on Drg no. (00)350 rev E received 29/06/2022, no dwelling hereby permitted shall be occupied unless and until details for all boundary treatments and means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The details shall include gaps with dimensions of 13cm x 13cm in fences between gardens and landscaped areas to allow hedgehog movement and foraging. No dwelling hereby permitted shall be occupied until the means of enclosure in respect of that dwelling, have been provided in full accordance with the approved details and thereafter such means of enclosure shall remain in place at all times.

To safeguard the character and appearance of the West Boldon Conservation Area, in the interests of visual amenity and biodiversity in accordance with South Tyneside Local Development Framework Policies DM1, DM6, DM7, EA3 and the NPPF.

Condition 12 stated;

Notwithstanding the details submitted, prior to the commencement of the development above damp proof course level, samples and details of all external materials for the dwellings hereby approved and details for hard surfacing, 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 and the NPPF.

Condition 15 stated;

No dwelling hereby permitted shall be occupied unless and until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority. The contents of that plan shall accord with the requirements of BS8683:2021 - process for designing and implementing Biodiversity Net Gain - Specifications' including details of, but not restricted to, the following:

a) the project's biodiversity baseline assessment against which BNG outcomes are assessed and monitored;
b) the project's BNG targets;
c) the number of years to achieve and then maintain the BNG targets which shall comprise a continuous period of at least 30 years from first occupation of the development;
d) a programme detailing the long-term phases of the management and monitoring activities; e) a monitoring plan to inform decisions about management, whether assessing progress towards the BNG targets is on track and whether changes to management are required to achieve the targets;
f) the roles, responsibilities and required competencies of those involved with implementing and monitoring the BNG design during the implementation and postimplementation stages; g) provision for any approved landscaping that is removed, dies or becomes seriously diseased within the agreed timescales for achieving and maintaining the BNG targets to be replaced in the next planting season with landscaping of similar size and species to that which it replaces.

Thereafter the Habitat Management & Monitoring Plan shall be carried out/implemented as approved and in accordance with the approved timetables.

To ensure a satisfactory standard of development in the interests of visual amenity and biodiversity in accordance with NPPF and Policies DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

Condition 16 stated;

No development shall take place (including any demolition, ground works, site clearance) until a method statement for the following have been submitted to and approved in writing by the local planning authority:
a) A precautionary method statement for bats in the context of demolition works on site.
b) A hedgehog method statement detailing the measures required to protect these species from harm during de-vegetation, site clearance and construction works.
c) An invasive non-native species method statement, detailing the containment, control and removal of Montbretia from the site. The content of the method statement shall include the:

a) purpose and objectives of the method statements.
b) detailed design(s) and/or working method(s) necessary to achieve the stated objectives.
c) extent and location of relevant works shown on appropriate scale maps and plans.
d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction.
e) Persons responsible for implementing the method statements and clearly stating when/if an Ecological Clerk of Works is required to oversee works. The works shall be caried out in accordance with the approved details.

To ensure the development does not harm habitats, encourages biodiversity and ensures the appropriate containment, control and removal of an invasive non-native species in accordance with the NPPF and South Tyneside Local Development Framework policies EA3, DM1 and DM7 and the Wildlife and Countryside Act 1981.

Condition 18 stated;

Before the first occupation of any dwelling hereby permitted, full details of the proposed external lighting to serve the development shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed and thereafter retained in accordance with the approved details.

In the interests of both visual and residential amenity and to minimise impacts from lighting on existing habitats (specifically retained trees from upward directional lighting) in accordance with Core Strategy policy EA3 and Development Management policies DM1 and DM7 of the South Tyneside Local Development Framework and the NPPF.

Condition 19 stated;

Development shall not commence until a Construction Method Statement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and supporting plan shall, where applicable, provide for:
a) details of temporary traffic management measures, temporary boundary treatments, vehicular/pedestrian gates, visibility splays.
b) Method of preventing mud or other materials spilling out onto the highway from the site and/or cleaning the highway of such materials.
c) the loading and unloading of plant and materials.

d) storage of plant and materials used in constructing the development.

To prevent nuisance in the interests of residential amenity and highway safety, in accordance with South Tyneside LDF Policy DM1 and the NPPF.

Condition 22 stated;

Notwithstanding the details shown on drawing no. BOL-NORR-YY-00-DR-A-90-001 rev B received 23/11/2022 and drawing no. BOL-NORR-YY-DR-A-90-000 rev D received 23/11/2022, prior to the commencement of development above damp proof course level, full details for the car park layout serving the playing field, including 7no. car parking spaces, turning area, passing place, surface treatments and sub-construction layers and entrance gate and a timetable for implementation of these works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be undertaken in full accordance with the specification and timetable details approved by the Local Planning Authority.

In the interests of highway and pedestrian safety, in accordance with the Policy DM1 of the South Tyneside Local Development Framework and the NPPF.

Publicity / Consultations (Expiry date - n/a)

1) Neighbour responses

None (N/A)

2) Other Consultee responses
(e.g. relevant comments from consultees such as archaeologist, EA, Historic buildings officer etc)

Environmental Health (LLFA):

Following initial consultation comments, which requested additional information and further clarification, the following final response was received:

The submitted information satisfies my last queries on drainage response spreadsheet V3.

Therefore, Condition 3 – Foul and Surface Water Disposal can be discharged.

Countryside Officer:

Condition 8 (Boundary Treatments)
The applicant has submitted a drawing entitled: proposed External Finishes, Boundary Treatments & Fence Types, Dwg No: (00)350, Revision F dated 27th April 2023 by NORR.
The drawings of both the 1.8m high and 2.5m high close board timber fences include an instruction point number 6 which states: '130mm x 130mm gap to base allowing passing place for hedgehog – x1 per run of fencing'. This is sufficient to create permeability through the site to allow the priority species hedgehog to move and forage throughout the development.

Condition 15 (Habitat Management and Monitoring Plan)
Following the original planning application submission but prior to determination, the scheme and red line boundary were revised to include a small area for access, parking and a passing place to service the adjacent playing pitch to address concerns raised by Sport England. The applicant did not submit a revised EcIA, BNG metric calculation or BNG Assessment report to take account of this revision. To expedite a planning consent, a figure of ~300m2 of additional land to be impacted by the revised

scheme was identified and this was incorporated this into the Countryside Teams comments and calculations on the final scheme for determination. For the purposes of this, it was assumed that the grassland to be impacted was the same type and condition as the other grassland habitats previously surveyed onsite.

To discharge condition 15, the applicant has submitted a document entitled 'Habitat Management and Monitoring Plan, West Boldon', DRAFT Version R02, dated November 2023 by E3 Ecology Ltd. This is an amended document from that initially submitted, following identification that the calculations were not based on the final scheme for which consent was granted - not including the additional area. The amended report has included this area.

The document is considered sufficient to discharge the condition. It is noted that the monitoring schedule requires survey in the years 2, 5, 10, 20 and 30 following completion. This section is not explicit about time of year when monitoring surveys will be undertaken but it is assumed they will be done at the optimal time of year, as it will be more difficult to assess the condition of a habitat at a suboptimal time of year.

Condition 16 (Ecology Method Statement)
The applicant has submitted a document entitled: 'Bat Method Statement for the development of West Boldon Former School', dated March 2023 by E3 Ecology Ltd. The method statement is considered sufficient to discharge section a) of condition16.

Following the initial submission of a document entitled 'Hedgehog Method Statement', by E3 Ecology Ltd, this was amended to reflect the requirement for the submission of details for working methods during construction and a timetable for implementation demonstrating that works are aligned with the proposed phasing of construction and timed to avoid the most sensitive times for hedgehog. The revised document has addressed the points raised and is considered sufficient to discharge section b) of condition 16.

Following the initial submission of a document entitled 'Montbretia SP. Invasive Species Method Statement', by E3 Ecology Ltd, this was amended to reflect the requirements to address the following identified issues; inclusion of a plan solely for this purpose of showing the extent and location of the invasive plant species would be more effective; specify which control methods have been chosen and will be used; a timetable for implementation demonstrating that works are aligned with the proposed phasing of construction and details who is responsible for implementation including whether an ECoW needed. The revised document has addressed the points raised and is considered sufficient to discharge section c) of condition 16.

Condition 18 (External Lighting)
As shown in 'Proposed Street Lighting BBLP EX1196 V1 Rev A 30/05/23 by Balfour Beatty', two new lampposts are to be installed within the site boundary, not far from the site entrance. Retained trees closest to the lamppost positions are already lit from the east due to lighting on North Road. Houses and fencing to the north and west will reduce light spill to the wider unlit areas. The information submitted is sufficient to discharge this condition.

Transport Development Officer (as Local Highway Authority):

Condition 3 (Foul and Surface Water Disposal)
The details are considered acceptable to discharge the condition relating to the submission of details, in respect of Highway Authority interests of preventing surface water discharging onto the public highway.

Condition 6 (Playing Pitch Access)
The details are considered acceptable to discharge the condition relating to the submission of details.

Condition 8 (Boundary Treatments)
This condition was not imposed by the Highway Authority. However, the boundary treatment details included on the Proposed External Finishes Boundary Treatments & Fence Types plan, numbered (00)350-Rev.'E' shows the boundary treatments clear of the visibility splays at the site access point. The details are considered acceptable to discharge the condition relating to the submission of details, in respect of Highway Authority interests of ensuring adequate driver visibility is maintained at the site access.

Condition 18 (External Lighting),
This condition relates to external lighting within the site, which the Highway Authority has no objections to as the access road is to remain private.

Please note that the relocation/replacement of street lighting column and interactive speed sign on the public highway associated with the widening of vehicular site access works form part of condition 20(i), which is not to be considered as part of this discharge of conditions application. The Balfour Beatty drawing, numbered BBLP EX1196 V1 – Rev.'A' should not therefore be used to discharge the condition in respect of condition 20.

Condition 19 (Construction Method Statement)
The details are considered acceptable to discharge the condition relating to the submission of details.

Condition 22 (Details of Playing Field Car Parking) – consultation with Highway Engineers.
Proceeding with the no-dig solution then this detail is approved.

Balfour Beatty:

Aware that the estate is private but Balfour Beatty were requested to design the private lighting. Balfour Beatty have included a feeder pillar because of this so it can house the metered supply.

Historic Environment Officer:

Confirmed verbally with the Case Officer that no comments to raise. Reference made to previous consultation comments for the planning application stage and the proposal for white uPVC and seeking an alternative / heritage product. Additionally, reiteration of the need for the stone boundary wall to north Road to be repaired and infilled using salvaged materials.

Asset Management – no comments received.

Greenspaces Team – no comments received.

Assessment

Condition 3 (Foul and surface water disposal)

In relation to condition 3, the submitted details are consistent with what was indicatively being shown when planning permission was granted. It should be noted that whilst reference to Northumbrian Water (NWL) is included in condition 3, NWL were not consulted on the discharge of condition request or the planning application. The proposal did not meet their standing advice criteria about what types of planning applications that they should be consulted upon and this is because the proposal is not a 'major' development. Evidence of agreement from NWL has been provided with the submission of details.

Having regard to the submitted details and the consultation responses (in relation to drainage), it is considered that sufficient information has been submitted to enable condition 3 to be discharged; in accordance with LDF Policies (as set out above).

Condition 6 (Playing pitch access)

In relation to condition 6 the submitted details identify the proposed car park layout and access. Furthermore the construction method statement clarifies that fencing will be placed around the development site with access retained to the playing pitch as existing. During works to the playing pitch car park access will be prevented for a period of two weeks, in negotiation with the council to ensure no disruption.

Having regard to the submitted details and the consultation responses (in relation to access), it is considered that sufficient information has been submitted to enable condition 6 to be discharged; in accordance with LDF Policies (as set out above).

Condition 8 (boundary treatments)

Drg. reference (00)350 Rev E provides further details on boundary treatments and means of enclosure. The details include reference to the stone boundary wall and its repair and infilling using salvaged materials.

Having regard to the submitted details and the consultation responses (in relation to ecology, highways and heritage), it is considered that sufficient information has been submitted to enable condition 8 to be discharged; in accordance with LDF Policies (as set out above).

Condition 12 (materials)

The application proposed use of the following external materials:
• Plot driveways and 2 visitor parking bays to be Marshall key block 60 natural colour
• Private path finish – Marshalls Symphony Plus Classic Colour in Stone Dark Grey
• Red facing brick ibstock millhouse blend
• Roof tiles – Marley Eternit Edgemere interlocking slate like concrete tile
• Windows - Rebated sash style with the 6 panels to the glass - agate grey woodgrain.
• Gutters and downpipes black UVC
• Fascia sofit black UVC

It is considered that the proposed external materials and hard surfacing are acceptable within the wider context of the area and the conservation area, where there is variety in the materials used. The agent, upon request has provided further information on the proposed window specifications and whilst the materials proposed would not be 'traditional', the form, proportions, profile and finish of the window (including colour) are considered to be acceptable. The applicant was advised at the time of assessing the planning application, that due to the sites location and prominence within the conservation area, the use of white uPVC would not be acceptable and as such alternative options have been considered.

Having regard to the submitted details, it is considered that sufficient information has been submitted to enable condition 12 to be discharged; in accordance with LDF Policies (as set out above).

Condition 15 (Habitat Management and Monitoring Plan)

The submitted Habitat Management and Monitoring plan has been amended following initial comments from the Council's Countryside Officer (Ecologist). The amended report is considered to be acceptable having regard to the submitted details and the consultation responses received, it is considered that

sufficient information has been submitted to enable condition 15 to be discharged; in accordance with LDF Policies (as set out above).

Condition 16 (Ecology Method Statement)

The applicant has submitted three separate reports to satisfy the individual elements of condition 16. Amended and additional details have been received in respect of points b and c.

Having regard to the submitted details and the consultation responses, it is considered that sufficient information has been submitted to enable condition 16 to be discharged; in accordance with LDF Policies (as set out above).

Condition 18 (External Lighting)

Drg. reference BBLP EX1196 V1 rev A has been submitted to illustrate the external lighting proposed as part of the permitted development.

The Transport Development Officer has advised that the relocation/replacement of street lighting column and interactive speed sign on the public highway associated with the widening of vehicular site access works form part of condition 20(i) and is therefore not being considered as part of this discharge of conditions application. An informative is recommended to highlight this with the applicant.

Having regard to the submitted details and the consultation responses (in respect of ecology, highways and street lighting), it is considered that sufficient information has been submitted to enable condition 18 to be discharged; in accordance with LDF Policies (as set out above).

Condition 19 (Construction Method Statement)

A construction method statement has been provided by Telmac Developments Ltd to address the specific elements that were identified through the assessment of the planning application and where further information was considered necessary.

Having regard to the submitted details and the consultation responses, it is considered that sufficient information has been submitted to enable condition 16 to be discharged; in accordance with LDF Policies (as set out above).

Condition 22 (Details of Car parking)

Drg no. BOL-NORR-YY-00-DR-A-90-001 rev I and 2017021-004-02 rev B are provided in support of this application. The submitted plans illustrate the proposed layout, surface and construction materials. The applicant has confirmed that with regards to the timetable for implementation, the works will be carried out in accordance with the timings stated within the signed S106 agreement.

The Council's Highway Engineers have been consulted on the submitted details and have advised that these are acceptable.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Approve Details of Conditions

Informatives

Note to Applicant:

In respect of condition 18, please note that the relocation/replacement of street lighting column and interactive speed sign on the public highway associated with the widening of vehicular site access works form part of condition 20(i).

List of plans for standard note

Condition 3:
Maintenance for Below Ground Drainage Rev A received 23/11/2023
Drainage Layout Drg. no. 002-01 Rev K received 23/11/2023
Drg. no. DDC10-620-C-150 Technical Details received 09/11/2023
Discharge rate email received 09/11/2023
Aquacell Surface Water Typical Detail received 09/11/2023
Email from LLFA received 09/11/2023
Hydrobrake Manhole details 09/11/2023
Flood Exceedance Plan Drg. no. 013-01 received 19/09/2023
NWL confirmation of Extension received 19/09/2023
Pe-Development response (17.3.17) received 19/09/2023
Storm water Simulations received 19/09/2023

Condition 6:
Covering Letter received 02/08/2023
Drg no. BOL-NORR-YY-00-DR-A-90-001 rev I received 02/08/2023
Construction Method Statement received 02/08/2023.

Condition 8:
External Finishes, Boundary Treatments & Fence Types, Drg No: (00)350, Revision F received 02/08/2023.

Condition 12:
Covering Letter received 02/08/2023
External Finishes, Boundary Treatments & Fence Types, Drg No: (00)350, Revision F received 02/08/2023.
Window specifications received 2/11/2023 - Rebated sash style (page 4), with the 6 panels to the glass (page 11). The colour would be agate grey woodgrain (page 7).

Condition 15:
Habitat Management and Monitoring Plan, West Boldon', DRAFT Version R02, by E3 Ecology Ltd received 13/11/2023

Condition 16
a) Bat Method Statement for the Development of West Boldon Former School by E3 Ecology Ltd, received 02/08/2023
b) Hedgehog Method Statement, received 13/11/2023
c) Montbretia SP. Invasive Species Method Statement by E3 Ecology Ltd. received 13/11/2023.

Condition 18
Proposed Street Lighting BBLP EX1196 V1 Rev A 30/05/23 by Balfour Beatty received 02/08/2023.

Condition 19
Construction Method Statement received 02/08/2023.

Condition 22:

Typical Private Road construction details Drg no. 004-02 Rev B received 02/08/2023.
Drg no. BOL-NORR-YY-00-DR-A-90-001 rev I received 02/08/2023.

Case officer: Helen Lynch
Signed: HL
Date: 08-12-23

Authorised Signatory: G.Horsman
Date: 14/12/2023

«END»