

SECOND SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
18th July 2017

Agenda item 6

Application ref. 17/00281/FUL

Land around Wilmot Drive Estate, Lower Milehouse Lane, Newcastle

Since the preparation of the main agenda and the first supplementary reports further comments have been received from the **Landscape Development Section** regarding the additional information provided by the applicant.

- The additional tree information provided shows that most major trees within group G12 can be retained although a significant amount of smaller trees and shrubs might be lost. Of particular concern is the loss of vegetation opposite plots 1 to 5.

Also of concern is that the significant loss of vegetation on the western boundary has not adequately been addressed. The plans do not appear to show existing trees immediately outside the site boundary.

Permission should be subject to reinforcement planting to fill any gaps in these areas, including outside the site boundary if necessary, along with a management plan to ensure satisfactory establishment.

- The construction of the proposed retaining wall on the southern corner of the site could cause loss of trees outside the site boundary. Information should be provided as to the minimum working area that will be required. Tree planting should be included to the front of the wall to screen it.
- It appears that the proposed levels generally try to follow existing levels, however very few road levels are shown and it is difficult to assess the likely extent of changes in level that will be required to accommodate the roads. There are no objections in principle if it can be guaranteed that there will be no changes of level within Root Protection Areas (RPAs).
- Trees 753, 755, 756 and 757 in the area of the proposed play area should be retained.
- The choice of tree species is acceptable but a schedule showing the total number of trees to be planted, and of each species, is required to give a better indication of the proposed tree cover.
- Permission should be subject to a detail tree protection plan, arboricultural method statement, details of special engineering within RPAs, arboricultural site supervision and arboricultural monitoring schedule, all to BS5837:2012. Tree protection fencing should be to figure 2 of BS5837:2012 and not figure 3 as indicated in the Arboricultural Impact Assessment AIA.

The **Environmental Health Division** have advised, following further consideration of the impact of the noise arising from Lyndale Cross and Lyndale Industrial Estate, that there are no objections subject to appropriate design measures being secured to ensure appropriate noise levels within the proposed dwellings and their gardens.

Officer Response

The matters raised by the Landscape Development Section and the Environmental Health Division can be addressed through the appropriate conditions.

In addition, with regard to recommendation (A) (vi) it has been agreed with the developer that the review of the financial assessment of the scheme should be required if there is no substantial commencement within 18 months and that the definition of substantial commencement in this case is the completion of at least 50 dwellings to damp proof course and construction to base course level only of the road/s serving those dwellings.

REVISED RECOMMENDATION

(A) Subject to the applicant entering into a Section 106 obligation by 25th August 2017 to secure the following:

- i. A financial contribution of £60,000 (index linked) for the provision/maintenance of a Multi-Use Games Area (MUGA) to be paid prior to commencement of development**
- ii. A travel plan monitoring fee of £6,430 to be paid prior to commencement of development**
- iii. Off-site highway works involving improvements to the signalised junction of Lower Milehouse Lane with 'Morrisons' store entrance (expected to be around £30,000)**
- iv. Management agreement for the long-term maintenance of the public open space on the site**
- v. A commuted off-site affordable housing contribution amounting to whatever remains of the £996,000 when i, ii, and iii, are deducted (index linked) to be paid in three equal payments which is to be ring-fenced for five years for Aspire Housing Ltd**
- vi. The review of the financial assessment of the scheme, if there is no substantial commencement (which will be defined in the obligation) within a period, yet to be advised, of the grant of planning permission, and additional affordable housing contributions then being made, up to a policy compliant level, if the scheme is evaluated at that time to be able to support such a contribution.**

Permit subject to the following conditions.

- 1. Standard time limit**
- 2. Approved plans**
- 3. The reporting of unexpected contamination**
- 4. Controls over the importation of soil/material**
- 5. Submission and implementation of a remediation scheme**
- 6. Construction and Environmental Management Plan (addressing environmental and highway safety)**
- 7. Controls over piling**
- 8. Internal and external noise levels**
- 9. Landscaping scheme to include additional trees, the number of each species of tree, reinforcement planting to fill any gaps adjoining the western and northern site boundaries and in front of the proposed retaining wall to mitigate the loss of trees and vegetation arising from the development and to soften the appearance of the wall.**
- 10. Providing fencing and a gate to the access to the substation.**
- 11. Provision of suitable boundary treatments where gardens back onto the cycle/footpath**
- 12. Off-site improvements to the signalised junction of Lower Milehouse Lane and the Morrisons store.**
- 13. Surfacing of driveways prior to occupation.**
- 14. Travel Plan**

15. Prior approval of the rear boundary treatment to plots 163-164
16. Prior approval of a gate to the substation on Breedon Close
17. Prior approval of the precise facing materials
18. Surface water drainage details to be provided in accordance with approved details.

B) Should the matters referred to in (i), (ii), (iii), (iv), (v) and (iv) above not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure an appropriate level of affordable housing, the provision and management of public open space, and measures to ensure that the development achieves sustainable development outcomes, and without a review mechanism there would be no up to date justification for a development with no policy compliant affordable housing provision; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.