



North Tyneside Council

# Planning Committee

23 September 2022

Dear Councillor,

With reference to the agenda previously circulated for the meeting of the Planning Committee to be held on Tuesday, 27 September 2022 I attach for your consideration at the meeting the following supplementary papers:

<b>Agenda Item</b>	<b>Page</b>
<b>6. 21/02519/FUL, Tynemouth Library, 36 Front Street, Tynemouth</b>	<b>176 - 177</b>
A written statement from Mrs P Stevens of Northumberland Terrace, Northumberland who had been granted speaking rights but is unable to attend the meeting.	
<b>7. 20/00321/FUL, Friends Meeting House, 23 Front Street, Whitley Bay</b>	<b>178 - 179</b>
An addendum to the planning officer's report.	
<b>8. 21/00174/FUL, 1-2 East Parade, Whitley Bay</b>	<b>180 - 181</b>
An addendum to the planning officer's report.	
<b>10. 22/01328/FUL, Land Adjacent to Third Avenue, Tyne Tunnel Trading Estate</b>	<b>182 - 193</b>
An addendum to the planning officer's report.	

Circulation overleaf ...

**Members of the Planning Committee:**

Councillor Ken Barrie  
Councillor Muriel Green  
Councillor John Hunter  
Councillor Tommy Mulvenna  
Councillor Paul Richardson (Deputy Chair)  
Councillor Jane Shaw

Councillor Julie Cruddas  
Councillor Margaret Hall  
Councillor Chris Johnston  
Councillor John O'Shea  
Councillor Willie Samuel (Chair)

# Agenda Item 6

To North Tyneside Planning Committee 27<sup>th</sup> September 2022

My objections to the application for the development of the building known as Tynemouth Library are as follows:

1. Lack of proper publicity regarding the development. The council has failed to properly execute its duties to ensure wide and accurate notification of this scheme to the general public.  
No notice was exhibited until it was requested. Few local residents have been contacted. No public meetings were held. The nature of the limited library provision envisaged has not been made clear at any point, and a great many Tynemouth residents expect a fully functioning library building, like the old building, with toilets and disabled access. The advertising displayed on the building certainly indicates this. This project should not proceed until clear information about the limited space and access has been given.
2. One of the cornerstones of the planning application is the deteriorated condition of the building, but the National Planning Policy Framework clearly states about a building in a Conservation Area, *16 Conserving and enhancing the historic environment*  
**Para 196.** *Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.*  
I consider the council's failure to adequately maintain the building constitutes deliberate neglect and therefore any reports of its deteriorating condition are inadmissible and should not influence a planning decision.  
Also  
[Department for Levelling Up, Housing and Communities](#) and [Ministry of Housing, Communities & Local Government](#)  
*Objections to planning*  
**Development not permitted**  
**B.1** *Development is not permitted by Class B if—*  
*(a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support;*  
  
Please note the word used is practicable not economical. There is no evidence that such work cannot be undertaken, just that it would be expensive to do so. The council of course has an interest in the land and have by neglect rendered the building unsafe.
3. The building has been a community resource for over 80 years. The building was used by local societies until the lack of proper maintenance caused them to relocate. If properly repaired it could once again become a community hub. Every effort should be made to maintain this link, and bodies, which could enable it to be listed as a community asset should be researched. Planning permission should therefore not be granted until this area has been fully explored.
4. Finally the very nature and ambience of Tynemouth and Front Street would be changed with the demolition and the proposed development. The council owes a duty to succeeding generations to maintain the character of this street and its links with the past. As a Newcastle City Guide leading walks in Tynemouth I know that the history and heritage of the area are important both to residents, and to the growing tourist industry. I could detail the unique and unusual features of this building, the stories which can be told about it, and its value as an attraction, but my words are limited. I will only say that I have met many people on walks who have bewailed the loss of heritage buildings, I urge you not to contribute to the number of those buildings.

Thank you for permitting me to contribute.

Patricia Stevens(Mrs)

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## ADDENDUM (22.09.22)

**Application No:** 20/00321/FUL                      Author: Julia Dawson  
**Date valid:** 11 March 2021                      ☎: 0191 643 6314  
**Target decision date:** 6 May 2021                      Ward: Monkseaton South

Application type: full planning application

**Location: Friends Meeting House 23 Front Street Whitley Bay Tyne And Wear NE25 8AQ**

**Proposal: Conservation and renovation of the pre-1911 elements of the building. Demolition of the existing front porch and rear extensions of the building dating from 1911 to 1980. Construction of a new front porch (modelled on the existing) and rear extension connected to the main building. The front and rear gardens will be remodelled to provide access for all. \*\*REVISED PLANS, DESIGN & ACCESS STATEMENT & APPLICATION FORM submitted 18.08.22\*\***

Applicant: Northumbria Area Meeting Resource Manager, Mr Matthew Moore Friends Meeting House 23 Front Street Whitley Bay Tyne And Wear NE25 8AQ

Agent: Countryside Consultants, Mr Ian Wells Townhead Alston CA9 3SL

**RECOMMENDATION:** Application Permitted

### INFORMATION

#### Additional Representations

12no. objections, summarised below:

- Revised plans are not a sympathetic renovation.
- Massive renovation and business venture which will be very intrusive, in the middle of the surrounding residents rear gardens and of great concern to us all.
- Object to removal of old stone wall, clearing of conservation garden and building onto gable of No.21, detached since 1600's.
- Application site's rear garden is higher than No.21's meaning users of the site will have clear visibility into No.21's garden. Existing wall does not offer high level of privacy.
- Object to members of the public entering and leaving the site up until the early hours via the front and rear entrances. Operational hours too long – up to 10pm.
- Revised plans do not overcome any previous objections.
- Security and privacy issues.
- Increased noise levels from increased activity at site; events, parties and groups.
- There should be no access at all from Bygate Road. Access for the public should be strictly limited to the main entrance off Front Street.
- No details on who and how the public will be able to hire and use the premises. This should be clear and in writing so as to prevent unwanted groups using the premises.
- It is imperative that the proposed use is set out from the outset. Specific details should be set in stone, included in the application and agreed with local residents directly affected.
- Harmful impact on highway – exacerbation of existing problems.
- Proposal will increase use of Bygate Road as a 'cut through', significantly of an evening.
- Light pollution.
- Privacy, structural and damp concerns regarding proposed two storey rear extension.
- Harmful impact on character and charm of No.21.

- Removal of foliage/trees will lessen privacy for No.21.
- Dreadful commercial application.
- Alder Court boundary wall is historic and does not belong to the applicant, it is about 170 years old. Demolition of the historic wall is unacceptable and detrimental to the conservation area.
- This will destroy this peaceful and tranquil residential area.
- All previous objections still stand.
- The building has been in a poor state of disrepair for many years with nothing done over the last year since the planning objection, an absolute disgrace to the conservation area. Many in the village believe it to be disused with no sign of life. No attendance or human presence in or around the building further distances any long-term support.
- There is little evidence in the application regarding the essential works needed to bring the main building up to basic standards.
- No external lighting assessment for the rear of the property.
- Increased risk of crime and theft due to non-local visitors.
- Inadequate design of extension.
- A lot of elderly people living in this area will have their lives significantly disrupted.
- Objectives for the use of the house remains the same. This is the wrong application in the wrong location. As a neighbour to the Quaker House I state my complete objection to this planning application.
- Proposals will not preserve or enhance the character and appearance of the conservation area.

5no. support, summarised below:

- Objection arguments seem to centre around the statement that this is a 'commercial development in a residential area'. Anyone who has visited the area and the site will know that this is not correct.
- Criticism also centres on the lack of upkeep of the building. My suspicion is that any upkeep of the building is waiting for planning permission. This is a very old building which needs considerable work and money spent to make it a space that can be utilised for its primary purpose as a meeting house for Quakers.
- Claims about what the building will be used for when the work is completed are just that, claims with no basis.
- The application should be approved so that the work of saving one of the oldest buildings in Monkseaton can begin.
- Proposals will bring the building up to a good standard of accessibility and sustainability.
- It will provide the locality with a useable and valuable resource and enhance the community's access for voluntary organisations, providing an affordable venue for social service and leisure for a wide group of residents. The garden will provide a haven.
- Proposed renovations and improvements are in character with the building and would enhance the appearance of Front Street.
- The plans, which include vegetable plots and planting to encourage pollinators - will support biodiversity.
- Some comments from nearby neighbours to the effect that the Meeting House is not used frequently, and note that these appear to have been made when social distancing guidelines were in force.
- Quakers - at Monkseaton as elsewhere - are aware of their social obligations. They are eager to share the facilities they own and to make them available to their communities for the benefit of all.



## Representations

1no. additional objection, set out below:

The new design differs little to the previous submission and does not address my previous objections. As such I object based on the same grounds.

I object to the proposed design of this development. The parking provision at the minimum will result in 19 more cars using North Parade for access at peak times. The developers and councillors will be aware that it is likely that there will be more than one car per dwelling and that overflow will occur. At present the parking in the WB3 zone is already crowded, especially at weekends due to the pay and display available to visitors. Even if this results in the predicted 19 extra vehicles, this does not take into account the loss of the parking for Seaview Nursing Home which provides parking spaces for staff and visitors. These additional vehicles will overflow into street parking in an already congested parking zone.

By connecting the new design to Seaview there will be significant reduction in daylight and sea views for residents on North Parade and Ocean View. Approximately 11 properties benefit from the unobstructed view between these two buildings at present. Removing this view will result in damage to saleability and value of such properties that can no longer claim this valuable aspect as a benefit.

The design of the new development is not in keeping with the surrounding area, notably the old Rex Hotel and the Promenade. An example of a development that maintains a sympathetic approach to the local architecture is Turknaz restaurant. I see no reason to design the new development in such a brutalist fashion other than to accommodate as many apartments as possible. The development of the junction of Park Avenue and The Promenade is an example of another sympathetic regeneration of an otherwise derelict plot.

While I object to the current design, I do agree that the redevelopment of this plot is needed and I look forward to reviewing the next revised submission.

## ADDENDUM 22.09.2022

<b>Application No:</b>	<b>22/01328/FUL</b>	Author	Rebecca Andison
Date valid:	12 July 2022	:	
Target decision date:	11 October 2022	☎:	0191 643 6321
		Ward:	Chirton

Application type: full planning application

**Location: Land Adjacent to Third Avenue Tyne Tunnel Trading Estate North Shields Tyne And Wear**

**Proposal: Construction of battery energy storage containers and substation buildings, together with associated electrical infrastructure, small operational buildings, security fencing, CCTV, improved access tracks and structural landscaping**

Applicant: Northumberland Estates, Mr Barry Spall Estates Office Alnwick Castle Alnwick NE66 1NQ

Agent: Northumberland Estates, Mr Barry Spall Estates Office Alnwick Castle Alnwick NE66 1NQ

**RECOMMENDATION:** Application Permitted

### 1.0 Additional Consultee Comments

#### 1.1 Biodiversity Officer and Landscape Architect

1.2 The above application site is located on land at Venus Park, west of Narvik Way, Tyne Tunnel Trading Estate. The total site area subject of this planning application is approximately 1.38 hectares (3.4 acres). The site is currently vacant allocated employment land and was recently used as the Highways England construction site compound and materials storage depot for the A19 / Coast Road junction improvements. Access to the site is direct off Narvik Way via Second Avenue and High Flatworth from the A193 / A187 roundabout.

1.3 The development involves the construction of battery energy storage containers and substation buildings, together with associated electrical infrastructure, small operational buildings, security fencing, CCTV, improved access tracks and structural landscaping.

1.4 The site consists of grassland, scrub and tree habitat along with areas of hardstanding. There is also an area of mature trees in the south west corner of the site adjacent to the A19.

1.5 The site is designated as available employment land on the Local Plan Policies Map (2017).

## **1.6 Ecological Assessment**

1.7 The EA Assessment (BSG July 2022) was undertaken at the site in January 2022. Habitats recorded within the site comprise mainly of modified grassland with an area of wetter ground present within the site boundary in the south-west part of the site where soft rush *Juncus effusus* is locally abundant. Although this habitat is to be impacted by the proposed works, it is a common habitat of site-level ecological value and the habitat has been historically disturbed and heavily managed by mowing. Scattered scrub is also present in the south-west of the survey area which is dominated by hawthorn with occasional bramble and is of no more than a site level importance.

1.8 An area of standing water is present in the south-western boundary of the site. The waterbody was shallow, with indistinguishable banks, likely caused by poor drainage and frequent water collection. Aerial imagery confirms there is no current or historical evidence of a permanent water body on site. The depression was surrounded by rough grasses, with scattered willow *Salix* spp. scrub, and tall ruderal vegetation present. The waterbody has limited ecological value, of site-level value only, however, it will not be impacted by the proposed development.

1.9 There are no ponds located within 500m of the development site. The site is considered to be unsuitable for amphibians in both their aquatic and terrestrial life stages and the waterbody on site is extremely shallow and has very low suitability for great crested newts and other protected species.

1.10 No records of bats were identified within the site or immediately adjacent to the site boundary. The regularly disturbed, improved grassland present within the site boundary has limited value to foraging and commuting bats, and the site has no roosting potential.

1.11 The site has been assessed as having limited value for breeding birds, due to the intensive management of the grassland. Isolated areas of unmanaged grassland are unlikely to have potential for ground nesting birds because the wider site is regularly exposed to human disturbances which is likely to cause disruption of nesting activity. As such, the site is unlikely to be of no more than site-level value for birds. Broad-leaved scattered trees and shrubs are present in the wider landscape, beyond the site boundary, and these have nesting opportunities but will not be impacted by the proposed works.

1.12 No records of badger were returned by ERIC and no badger setts or evidence of badger were identified within the site. Badgers are considered unlikely to be encountered during the works due to the unsuitability of habitats on site for sett creation and foraging. The site is generally flat, featureless, and landlocked between built up areas and a main road.

1.13 The site is dominated by modified grassland that is species-poor and which has been evaluated as providing sub-optimal habitat for butterflies.

Survey of this area in 2015 recorded semi-improved neutral grassland across the site with two locations of dingy skipper butterfly recorded along the eastern boundary. However, most dingy skipper sightings in 2015 were recorded outside the site to the north with a peak count of 4 and no wall butterflies were recorded within the site.

1.14 Since 2015 survey the site has been exposed to human disturbance through land use change with significant habitat loss or disturbance taking place between 2017 and 2020 (Google Earth Pro, accessed 15 September 2022). The vegetation that has developed on site in recent years is assessed to be sub-optimal for dingy skipper and has limited suitability for wall butterfly for the following reasons:

- Bird's-foot trefoil, which is the larval food plant of dingy skipper butterfly, was not recorded within the site and limited potential nectar sources were recorded within the grassland for both species. There were also very few potential basking and over-wintering sites due to occasional mowing of the sward.

1.15 Overall, it is considered that the modified grassland that dominates the site is poor for butterflies; however, the occasional presence of wall butterfly cannot be ruled out if the species is still present in the wider area. It is considered unlikely that dingy skipper will be present.

1.16 The surrounding habitat beyond the proposed site is suitable for foraging and sheltering hedgehogs. However, the site itself has limited cover and shelter for hedgehogs and as the proposed works are limited to a development footprint that has no vegetation suitable for this species.

1.17 No invasive species – including non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) – were recorded within the site or within habitats adjacent to the site.

1.18 In order to mitigate any impacts, the Report recommends that all works are undertaken outside of the bird nesting season and landscape planting within the site, which includes species rich grassland, will be created and managed to benefit butterflies and will include the larval food plants for both wall butterfly and dingy skipper. Landscaping will also benefit birds, bats and small mammals.

### **1.19 Biodiversity Net Gain (BNG) Assessment/Biodiversity Metric**

1.20 The BNG Assessment states that all the modified grassland within the site will be lost as it will be cleared to facilitate the development. The development proposals include soil stripping prior to the creation of hardstanding and gravel-surfaced areas to accommodate the battery storage units. Landscaping is proposed around the battery storage units which consists of species-rich grassland (other neutral grassland). Management will seek to maintain the grassland in moderate condition. This is considered to be a realistic target as the battery storage facility, once constructed and fully operational will be

subject to occasional maintenance visits and so the grassland will remain undisturbed except for routine management activities.

1.21 A new hedgerow is proposed along the southern boundary of the site consisting of a range of native species including hawthorn, blackthorn, hazel, dog rose, guelder rose and holly. Maintenance of the hedgerow will be possible from at least one side to attain moderate condition.

1.22 Additional scrub planting is proposed in the south-western part of the site and a small area in the east. Scrub planting will include a native species mix, including hawthorn, blackthorn and dog rose.

1.23 The existing site baseline calculated through the Metric is 2.78 Habitat Units and post development is 3.02 Habitat Units. This results in an overall net gain of 8.64%. In addition, the creation of hedgerow within the site results in 100% net gain in hedgerow units.

#### **1.24 Landscape Strategy**

1.25 A 'Venus Park Landscape Strategy' has been submitted (DWG NO: 1385\_VP\_100 -Southern Green July 2022). The Strategy has been designed to meet the requirements of the biodiversity net gain assessment and indicates the provision of species rich neutral grassland, native scrub planting on the south-west boundary and eastern site entrance and new hedgerows. In order to increase connectivity and green links for wildlife particularly along the western boundary of the site, adjacent to the A19, it is recommended that some native scrub planting or a mixed native hedgerow is provided along this area. This will also provide visual amenity and screening adjacent to the A19.

1.26 In addition, the neutral grassland wildflower mix should also include a high percentage of larval foodplant species for dingy skipper butterfly within the specification as well as some yorkshire fog, cock's-foot and Agrostis spp within the grass mix for wall butterfly.

1.27 A detailed landscape plan should be submitted to include the above provisions as a condition of the application.

#### **1.28 Tree Constraints Assessment**

1.29 A Pre-development Tree Constraints Assessment report by Darryl Birch Consultancy (May 2022) has been submitted that surveys a number of mature, semi-mature and small self-seeded trees and hedges within the site in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. The majority of these trees are self-seeded trees and growing along the southern boundary with a small copse of self-seeded and naturally regenerating crack willow in the southwestern corner. There is a SUDs/ water attenuation area on the western boundary adjacent to the A19. None of the trees within the property are protected by Tree Preservation Orders and the site is not within a Conservation Area. However, the tree and shrub features bordering the site are important existing landscape

assets as they complement and support the biodiversity of the immediate and wider area and Local Plan Policy DM5.9 Trees, Woodland and Hedgerows states:

*Where it would not degrade other important habitats the Council will support strategies and proposals that protect and enhance the overall condition and extent of trees, woodland and hedgerows in the Borough, and:*

- a. Protect and manage existing woodland, trees, hedgerows and landscape features.*
- b. Secure the implementation of new tree planting and landscaping schemes as a condition of planning permission for new development.*
- c. Promote and encourage new woodland, tree and hedgerow planting schemes.*
- d. In all cases preference should be towards native species of local provenance.*

*Planting schemes included with new development must be accompanied by an appropriate Management Plan agreed with the local planning authority.*

1.30 The report identifies 1no shrub (Elder) and 1no group of mature crack willow (*Salix fragilis*) outside the site fence line. The trees are growing within an area of marshy ground and are most likely a remnant of a former larger group of trees. They are regenerating naturally. Both the elder and willow have been categorised as moderate retention trees (category B).

1.31 A Tree constraints plan has been submitted that identifies the tree root constraints present. Potential impacts on trees within and on the boundary of the site, if not adequately protected, will include root compaction from the movement of site plant and the storage of site materials, root severance during ground works, crown damage by high clearance vehicles if not adequately pruned, and root damage during the installation of subterranean services. A detailed Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and site-specific arboricultural method statement (AMS) has not been submitted at this stage and will be produced on completion of the final development layout. Due to the limited number of trees/shrubs on the site, it would be acceptable to condition this information.

1.32 The following conditions should be attached to the application:

- Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be in accordance with the habitat creation details set out within the BNG Assessment and Biodiversity Metric (BSG July 2022) or any subsequent updated Metric Assessment and the Ecological Assessment Report (BSG Sept 2022). The Landscape Plan shall include a species rich grassland specification for brownfield butterflies, native hedgerows and scrub planting and shall include

native hedgerow or mixed native scrub along the length of the western boundary. The Plan shall also include details of the extent (sqm) of all new habitats within the site, including the proposed timing of all new tree, shrub and wildflower grassland planting and ground preparation noting the species and sizes for all new plant species. Any new standard tree planting shall be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting

- Within 4 weeks of any of the development hereby approved commencing on site, a 'Landscape Ecological Management & Monitoring Plan' (LEMMP) for on-site landscape mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the approved Landscape Plan and the details set out within the approved BNG Assessment and Biodiversity Metric (BSG July 2022) and shall be implemented on completion of the landscape scheme and thereafter for a minimum period of 30 years.

The Management Plan will be a long-term management strategy and will set out details for the creation, enhancement, management and monitoring of landscaping and ecological habitats within the site for a minimum period of 30 years. Details of the survey and monitoring of the site for brownfield butterflies at regular intervals within the first 10 years of landscaping being implemented shall also be provided. The Plan will also include details of regular Net Gain Assessment updates that include habitat condition assessments to evidence the success of the scheme and net gain delivery. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

- External lighting shall be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/18 "Bats & Artificial Lighting in the UK" to minimise light spill to adjacent boundary and habitat features such as woodland, scrub, grassland and hedgerow habitats. High intensity security lights will be avoided as far as practical and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

- Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

- No vegetation removal or works shall be undertaken during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified

ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

- 6no. bird boxes (various designs) and 4no. bat boxes shall be installed in suitable locations within the site. Details of bird and bat box specifications and locations shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site. Thereafter, these agreed details shall be installed prior to the completion of the scheme and permanently retained

- Hedgehog access holes (minimum of 13 x 13cm) shall be created at ground level in all new boundary fences across the site to allow hedgehog to move freely throughout the site. Details of the location and specification of access holes will be submitted to the LPA for approval within 4 weeks of works commencing on site and shall be installed within the fencing in accordance with this plan thereafter.

- No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority.

- Prior to any ground being broken on site and in connection with the development hereby approved (including demolition works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), detailed design and construction method statement of vehicular drives, parking areas, installation of kerb edges, retaining wall construction and other hard surfacing within the root protection area (as defined by BS5837:2012) a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' is to be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved tree protection scheme and Arboricultural Method Statement.

- Prior to commencement of works starting on site, the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations shown and detailed in the Tree Protection Plan unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is NOT to be repositioned without the approval of the Local Authority.

- All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage, are to be carried out in complete accordance with the Arboricultural Method Statement, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'

- The contractors construction method statement relating to traffic management/site compounds/contractor access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires must be submitted in writing and approved by the Local Planning Authority and include tree protection measures for the trees to be retained. Cabins, storage of plant and materials, parking are not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works

### 2.0 Biodiversity and Landscaping Update

2.1 The Officer Report sets out that at the time of writing the submitted Ecological Assessment Report, Biodiversity Net Gain (BNG) Assessment and Tree Constraints Assessment were being reviewed by the Landscape Architect and Biodiversity Officer. Comments have now been provided and are set out above.

2.2 The development is considered to be acceptable in terms of the impact on protected species and habitats, and a landscape strategy has been submitted which achieves a biodiversity net gain of 8.64% and a 100% net gain in hedgerow units. The impact on trees is also considered to be acceptable subject to conditions to protect retained trees from damage during the construction period.

2.3 It is officer opinion that the development is acceptable in terms of the impact on landscaping and ecology and in accordance with NPPF and LP Policies DM5.5 and DM5.9.

### 3.0 Additional conditions

1) Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be in accordance with the habitat creation details set out within the BNG Assessment and Biodiversity Metric (BSG July 2022) or any subsequent updated Metric Assessment and the Ecological Assessment Report (BSG Sept 2022). The Landscape Plan shall include a species rich grassland specification for brownfield butterflies, native hedgerows and scrub planting and shall include native hedgerow or mixed native scrub along the length of the western boundary. The Plan shall also include details of the extent (sqm) of all new habitats within the site, including the proposed timing of all new tree, shrub and wildflower grassland planting and ground preparation noting the species and

sizes for all new plant species. Any new standard tree planting shall be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure a satisfactory standard of landscaping having regard to policies DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

2) Within 4 weeks of development commencing, a 'Landscape Ecological Management and Monitoring Plan' (LEMMP) for on-site landscape mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the approved Landscape Plan and the details set out within the approved BNG Assessment and Biodiversity Metric (BSG July 2022) and shall be implemented on completion of the landscape scheme and thereafter for a minimum period of 30 years.

The Management Plan will be a long-term management strategy and will set out details for the creation, enhancement, management and monitoring of landscaping and ecological habitats within the site for a minimum period of 30 years. Details of the survey and monitoring of the site for brownfield butterflies at regular intervals within the first 10 years of landscaping being implemented shall also be provided. The Plan will also include details of regular Net Gain Assessment updates that include habitat condition assessments to evidence the success of the scheme and net gain delivery. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of landscaping having regard to policies DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

3) External lighting shall be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/18 "Bats & Artificial Lighting in the UK" to minimise light spill to adjacent boundary and habitat features such as woodland, scrub, grassland and hedgerow habitats. High intensity security lights shall be avoided as far as practical and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

4) Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

5) No vegetation removal or works shall be undertaken during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

6) 6no. bird boxes (various designs) and 4no. bat boxes shall be installed in suitable locations within the site. Details of bird and bat box specifications and locations shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site. Thereafter, these agreed details shall be installed prior to the completion of the scheme and permanently retained.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

7) Hedgehog access holes (minimum of 13 x 13cm) shall be created at ground level in all new boundary fences across the site to allow hedgehog to move freely throughout the site. Details of the location and specification of access holes will be submitted to the LPA for approval within 4 weeks of works commencing on site and shall be installed within the fencing in accordance with this plan thereafter.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

8) No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

9) Prior to commencement of development (including demolition works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services) the detailed design and a construction method statement for all vehicular drives, parking areas, kerb edges, retaining walls and other hard surfacing within the root protection area (as defined by BS5837:2012) and a detailed Arboricultural Method Statement

(AMS) and Tree Protection Plan (TPP) in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved tree protection scheme and Arboricultural Method Statement.

Reason: This information is required prior to development commencing in order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

10) Prior to commencement of development all trees within or adjacent to and overhanging the site that are to be retained shall to be protected by fencing in the locations shown and detailed in the Tree Protection Plan unless otherwise agreed in writing by the Local Planning Authority. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

11) All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage shall be carried out in complete accordance with the Arboricultural Method Statement, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

#### 4.0 Amended condition

4.1 Condition 5 has been amended to include a requirement for tree protection measures.

No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall:

- a) identify the access to the site for all site operatives (including those delivering materials) and visitors
- b) provide for the parking of vehicles of site operatives and visitors;
- c) include details of the site compound for the storage of plant (silos etc) and materials used in constructing the development, fuels and waste as well concrete mixing and use of fires;
- d) provide a scheme indicating the route for heavy construction vehicles to and

from the site;

- e) identify a turning area within the site for delivery vehicles;
- f) include a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development);
- g) include tree protection measures for the trees to be retained; and
- g) include a site plan illustrating the location of facilities and any alternative locations during all stages of development.

The approved statement shall be implemented and complied with during construction of the development. Cabins, storage of plant and materials and parking must not be located within the root protection areas of the retained trees.

Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until the agreed wheel washing/road cleaning measures are fully operational. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.