



North Tyneside Council

Planning Committee

Friday, 24 July 2020

To be held on **Tuesday, 4 August 2020** commencing at **10.00 am**.

This meeting will be conducted using video conferencing technology. A live stream of the meeting will be available on the Council's YouTube channel by clicking here:

<https://youtu.be/p9ifnoOb3WA>

Agenda Item	Page
<p>1. Apologies for absence</p> <p>To receive apologies for absence from the meeting.</p>	
<p>2. Appointment of substitutes</p> <p>To be informed of the appointment of any substitute members for the meeting.</p>	
<p>3. Declarations of Interest</p> <p>You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.</p> <p>You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.</p>	
<p>4. Minutes</p> <p>To confirm the minutes of the previous meeting held on 7 July 2020</p>	5 - 6

Members of the public are welcome to attend this meeting and receive information about it.

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Agenda Item		Page
5.	Planning Officer Reports	7 - 12
	To receive the attached guidance to members in determining planning applications and to give consideration to the planning applications listed in the following agenda items.	
6.	20/00165/FUL Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear	13 - 54
	To determine a full planning application from McCarthy & Stone Retirement Lifestyles Ltd & Places For People for the Erection of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking.	
7.	20/00445/FUL Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear	55 - 80
	To determine a full planning application from Places For People for the construction of 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping.	
8.	20/00517/FUL Burradon Abattoir, Burradon Road, Burradon, NE23 7NB	81-112
	To determine a full planning application from Linden Foods for Extensions to the existing facility, including covering the external yard, the demolition of an existing employee/amenity block and construction of welfare/amenity building and new offices, and increased hardstanding for vehicles connected with the use, including truck and car parking, and additional safe manoeuvring space, and a waste water treatment facility.	
9.	20/00632/OUT Management Suite, Royal Quays Outlet Centre, Coble Dene, North Shields, Tyne And Wear	113-140
	To determine an Outline planning application with all matters reserved from WD Chatham Ltd for a new hotel development comprising approximately 70 bed spaces and associated car parking.	

Circulation overleaf ...

Members of the Planning Committee:

Councillor Ken Barrie
Councillor Brian Burdis
Councillor Sandra Graham
Councillor Frank Lott (Chair)
Councillor Willie Samuel
Councillor Frances Weetman

Councillor Trish Brady (Deputy Chair)
Councillor Linda Darke
Councillor Muriel Green
Councillor Paul Richardson
Councillor John Stirling

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Planning Committee

Tuesday, 7 July 2020

Present: Councillor F Lott (Chair)
Councillors T Brady, L Darke, S Graham and
P Richardson

Apologies: Councillors K Barrie, B Burdis, M Green and F Weetman

PQ78/20 Appointment of substitutes

There were no substitute members appointed.

PQ79/20 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ80/20 Minutes

Resolved that the minutes of the meeting held on 9 June 2020 be confirmed and signed by the Chair.

PQ81/20 Planning Officer Reports

The Committee received guidance in relation to the principles of decision making when determining planning applications and then considered the planning applications listed in the following minutes.

PQ82/20 19/01305/FUL, Trinity United Reformed Church, Esplanade Place, Whitley Bay

It was reported that this application had been withdrawn by the applicants on 1 July 2020.

PQ83/20 20/00523/FUL, Royal Quays Outlet Centre, Coble Dene, North Shields

The Committee considered a report from the planning officers, together with two addenda circulated prior to the meeting, in relation to a full planning application from North Shields Investment Properties for a partial change of use of existing A1 Factory Outlet Shopping Centre to A1 Factory Outlet/B1/B8 Industrial and alterations to existing service arrangements to suit new use.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

Resolved that the application be permitted subject to the conditions set out in the planning officers report and an addendum.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on surrounding occupiers, the character of the area, landscaping, ecology and the highway network.)

PLANNING COMMITTEE

Date: 4 August 2020

PLANNING APPLICATION REPORTS

Background Papers - Access to Information

The background papers used in preparing this schedule are the relevant application files the numbers of which appear at the head of each report. These files are available for inspection at the Council offices at Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside.

Principles to guide members and officers in determining planning applications and making decisions

Interests of the whole community

Members of Planning Committee should determine planning matters in the interests of the whole community of North Tyneside.

All applications should be determined on their respective planning merits.

Members of Planning Committee should not predetermine planning applications nor do anything that may reasonably be taken as giving an indication of having a closed mind towards planning applications before reading the Officers Report and attending the meeting of the Planning Committee and listening to the presentation and debate at the meeting. However, councillors act as representatives of public opinion in their communities and lobbying of members has an important role in the democratic process. Where members of the Planning Committee consider it appropriate to publicly support or oppose a planning application they can do so. This does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Where members publicly support or oppose an application they should ensure that the planning officers are informed, preferably in writing, so that their views can be properly recorded and included in the report to the Planning Committee.

All other members should have regard to these principles when dealing with planning matters and must avoid giving an impression that the Council may have prejudged the matter.

Planning Considerations

Planning decisions should be made on planning considerations and should not be based on immaterial considerations.

The Town and Country Planning Act 1990 as expanded by Government Guidance and decided cases define what matters are material to the determination of planning applications.

It is the responsibility of officers in preparing reports and recommendations to members to identify the material planning considerations and warn members about those matters which are not material planning matters.

Briefly, material planning considerations include:-

- North Tyneside Local Plan (adopted July 2017);
- National policies and advice contained in guidance issued by the Secretary of State, including the National Planning Policy Framework, Planning Practice Guidance, extant Circulars and Ministerial announcements;
- non-statutory planning policies determined by the Council;
- the statutory duty to pay special attention the desirability of preserving or enhancing the character or appearance of conservation areas;
- the statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses;
- representations made by statutory consultees and other persons making representations in response to the publicity given to applications, to the extent that they relate to planning matters.

There is much case law on what are material planning considerations. The consideration must relate to the use and development of land.

Personal considerations and purely financial considerations are not on their own material; they can only be material in exceptional situations and only in so far as they relate to the use and development of land such as, the need to raise income to preserve a listed building which cannot otherwise be achieved.

The planning system does not exist to protect private interests of one person against the activities of another or the commercial interests of one business against the activities of another. The basic question is not whether owners and occupiers or neighbouring properties or trade competitors would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest.

Local opposition or support for the proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is founded upon valid planning reasons which can be substantiated by clear evidence.

It will be inevitable that all the considerations will not point either to grant or refusal. Having identified all the material planning considerations and put to one side all the immaterial considerations, members must come to a carefully balanced decision which can be substantiated if challenged on appeal.

Officers' Advice

All members should pay particular attention to the professional advice and recommendations from officers.

They should only resist such advice, if they have good reasons, based on land use planning grounds which can be substantiated by clear evidence.

Where the Planning Committee resolves to make a decision contrary to a recommendation from officers, members must be aware of their legislative responsibilities under Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to:

When refusing permission:

- state clearly and precisely the full reasons for any refusal including specifying all the policies and proposals in the development plan relevant to the decision; or

When granting permission:

- give a summary of the reasons for granting permission and of the policies and proposals in the development plan relevant to the decision; and
- state clearly and precisely full reasons for each condition imposed, specifying all policies and proposals in the development plan which are relevant to the decision; and
- in the case of each pre-commencement condition, state the reason for the condition being a pre-commencement condition.

And in both cases to give a statement explaining how, in dealing with the application, the LPA has worked with the applicant in a proactive and positive manner based on seeking solutions to problems arising in relation to dealing with the application, having regard to advice in para.s 186-187 of the National Planning Policy Framework.

Lobbying of Planning Committee Members

While recognising that lobbying of members has an important role in the local democratic process, members of Planning Committee should ensure that their response is not such as to give reasonable grounds for their impartiality to be questioned or to indicate that the decision has already been made. If however, members of Committee express an opinion prior to the Planning Committee this

does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Lobbying of Other Members

While recognising that lobbying of members has an important role in the local democratic process, all other members should ensure that their response is not such as to give reasonable grounds for suggesting that the decision has already been made by the Council.

Lobbying

Members of the Planning Committee should ensure that their response to any lobbying is not such as to give reasonable grounds for their impartiality to be questioned. However all members of the Council should ensure that any responses do not give reasonable grounds for suggesting that a decision has already been made by the Council.

Members of the Planning Committee should not act as agents (represent or undertake any work) for people pursuing planning applications nor should they put pressure on officers for a particular recommendation.

1	20/00165/FUL	Whitley Bay
	Site Of Coquet Park And Marine Park First Schools Coquet Avenue Whitley Bay Tyne And Wear	
	Speaking rights requested -Mrs Joanna Unthank, 20 Coquet Avenue Whitley Bay	
	Speaking rights requested -Ms Jean Laurie, 7 Coquet Avenue Whitley Bay	
2	20/00445/FUL	Whitley Bay
	Site Of Coquet Park And Marine Park First Schools Coquet Avenue Whitley Bay Tyne And Wear	
3	20/00517/FUL	Camperdown
	Burradon Abattoir Burradon Road Burradon NORTHUMBERLAND NE23 7NB	
4	20/00632/OUT	Riverside
	Management Suite Royal Quays Outlet Centre Coble Dene North Shields Tyne And Wear NE29 6DW	

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Item No: 1

Application No: 20/00165/FUL

Author: Julia Dawson

Date valid: 3 February 2020

☎: 0191 643 6314

Target decision date: 4 May 2020

Ward: Whitley Bay

Application type: full planning application

Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear,

Proposal: Erection of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking

Applicant: McCarthy _ Stone Retirement Lifestyles Ltd & Places For Peop, 4th Floor 100 Holdenhurst Road Bournemouth BH8 8AQ

Agent: Mr Andrew Mangham, Mr Andrew Mangham Aspen House Northminster Business Park Upper Poppleton York YO26 6QW

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider in this case are;

- Whether the principle of the proposed development is acceptable on this site;
- The impact of the proposal upon the character and appearance of the site and the surrounding area;
- The impact upon neighbours living conditions with particular regard to outlook and privacy;
- Whether an acceptable residential environment can be provided for future occupiers; and
- Whether sufficient parking and access would be provided.

2.0 Description of the Site

2.1 The application site measures 0.43 hectares in area and comprises an area of grassland. It was the site of the former Coquet Park and Marine Park First School, but all the buildings have been demolished and the site has been cleared. There are no longer any remnants of the previous use and therefore the site is Greenfield. It is enclosed by approximately 0.6m high post and rail fence. There is a slight slope across the site. The site slopes downwards from the south west to the north east. The site is also within Whitley Bay Town Centre.

2.2 To the north of the site is a free surface level car park. To the north east on the opposite side of Park Road is Marine Park Primary School. To the south of the site is St Edwards Roman Catholic Church, which is a tall Grade II listed building with an elevated central round tower section which sits higher than the main roof. To the south west of the site along Coquet Avenue is a one and a half storey flat roofed hall (Mission Hall), which is in a poor condition. Beyond this further to the west are the semi-detached dwellings of Coquet Avenue. These semi-detached dwellings are two-storey in height and are characterised by red brick and slate tiles. Immediately to the west of the site adjacent to Marine Gardens there is a narrow access road, beyond which are two-storey semi-detached properties which also follow a well-defined building line.

2.3 The site is not within a Special Landscape Area, or within or adjacent to a Conservation Area. The site is not Green Belt.

2.4 A separate planning application for 9no. residential dwellings on the south western parcel of the site is currently for consideration alongside this application.

3.0 Description of the proposed development

3.1 The proposal relates to the construction of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking.

4.0 Relevant Planning History

03/03423/DEMGDO – Demolition of Coquet and Marine Park first schools – determination of whether prior approval will be required to the method of demolition and any proposed restoration of the site.
Not development 20.01.04.

05/00867/OUT – Outline planning permission former Marine Park/Coquet Avenue Park School site (75 apartments and 12 houses).

Withdrawn 18.05.05

06/03648/OUT – Development of 94 dwellings comprising of 16 town houses and 78 apartments with 94 car parking spaces on site of former Marine Park and Coquet Park schools – siting and access only.

Permitted 05.03.07.

07/03702/REM – Submission of reserve matters for development of 78 apartments and 16 houses including details of appearance, scale, parking, refuse storage and landscaping pursuant to outline planning permission reference

06/03648/OUT

Approved 30.01.08

17/00817/FUL - Residential development of 65 units consisting of 16no houses (3 and 4 bedroom), 46no apartments (1 and 2 bedroom), 3no Flats over garages (2 bedroom) with associated parking and landscaping – Refused 03.08.2018

20/00445/FUL - 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping – Pending Decision (also to be determined at planning committee on 04.08.20)

Mission Hall – Coquet Avenue

16/00995/FUL – Change of use and alterations to former church hall to form a swimming pool and cafe. Provide mild steel gates and railings to existing front and side boundaries.

Permitted 02.08.16

19/00382/FUL - Variation of condition 1 (approved plans) of planning approval 16/00995/FUL - raise parapet wall on roof to allow extra height to add first floor. Change existing stone copings to aluminium copings. Change windows, extend boundary wall to the rear. Addition of roller shutter to new rear double doors. If brickwork is damage/worn cover with brick slips to match original. Light opaque glazing to windows for privacy – Approved 09.05.19

19/01213/FUL - Change of use from a former church hall to a ground floor swimming pool, first floor cafe and storeroom. External alterations to include raising of parapet wall on roof to allow extra height to add first floor. Change existing stone copings to aluminium copings. Change windows, extend boundary wall to the rear. Addition of roller shutter to new rear double doors. If brickwork is damage/worn cover with brick slips to match original. Light opaque glazing to windows for privacy - Approved 27.11.19

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)

National Planning Practice Guidance (NPPG) (As amended)

6.2 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues for Members to consider in this case are;

- Whether the principle of an extra care residential development (use class C2) is acceptable on this site;
- The impact of the proposal upon the character and appearance of the site and the surrounding area;
- Impact on the living conditions of surrounding occupiers and whether the proposal would provide an acceptable residential living environment for future occupiers, and;
- Whether sufficient parking and access would be provided.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in an appendix to this report.

8.0 Principle of the Proposed Development

8.1 Paragraph 7 of NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

8.2 Paragraph 8 of NPPF states that a social objective is one of the three overarching objectives of the planning system and that amongst other matters it should seek to support a sufficient number and range of homes to meet present and future needs which support communities' health, social and cultural well-being.

8.3 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision takers should approve development proposals that accord with an up-to-date development plan without delay.

8.4 Paragraph 59 of NPPF states that to support the Government's objective to significantly boost the supply of homes, it is important that sufficient amount and variety of land can come forwards where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

8.5 Policy S1.2 of the Local Plan states that the wellbeing and health of communities will be maintained and improved by amongst other matters requiring development to create an age friendly, healthy and equitable living environment.

8.6 Policy DM1.3 states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area.

8.7 Policy S1.4 states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development or areas specific policies of the Local Plan.

8.8 The Local Plan specifically allocates sites to meet the overall housing needs. Members are advised that the site, subject of this application, forms part of allocated housing site 48 within the Local Plan.

8.9 Policy DM4.8 supports proposals for specialist housing, including extra care and supported housing, where the development is amongst other matters integrated into the local residential community. It also seeks to deliver and promote independent living.

8.10 The proposal comprises an extra care housing development for older people with the aim of maintaining their independence via a wide range of communal facilities and care packages tailored to their individual needs as frailty increases through later life. The proposal will provide 65 one and two bedroom Extra Care apartments with associated community facilities, parking and landscaping.

8.11 A number of objections have been received with regard to the need for the proposed development. Policy DM4.8 does not require the applicant to demonstrate need. However, within their Planning Statement (submitted in support of the application) the applicant has addressed this point, stating that National Planning Practice Guidance has identified that the need to provide housing for older people is 'critical' given that the projected increase in the number of households age 65 and over accounts for over half of all new households. Paragraph 61 of the NPPF advises that local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community including older people.

8.12 Objections have also been submitted in relation to the loss of public open space. However, whilst it is noted that the application site is currently grassed and enclosed with a low-level fence, it is not actually public open space. It is a privately-owned site which was previously occupied by the large indoor market building, albeit it all the structures have been removed and it has remained vacant for several years. As such, it is excluded from the NPPF's definition of brownfield or previously development land. The delay in bringing the site forward for development has been, at least partly, as a result of a failure to obtain planning permission for an appropriate development. Members are reminded that the site is part of the allocated housing site as designated by the North Tyneside Local Plan 2017.

8.13 The development would contribute to meeting the housing needs of the borough and is therefore considered to accord with the aims of the NPPF to increase the delivery of new homes and Policy DM4.8. This is a housing application on an allocated housing site and therefore it is considered that the principle is acceptable in accordance with policy S4.3(48). Issues relating to the

impact of this scheme upon local amenities and existing land uses are discussed later in this report.

8.14 Members need to consider whether the principle of construction of 65 extra care residential apartments on this site is acceptable and whether it would accord with the advice in NPPF and policies DM1.3, S4.1, S4.3(48) and DM4.8 and weight this in their decision.

9.0 North Tyneside Council Housing Land Supply

9.1 Paragraph 73 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and maintain a rolling five-year supply of deliverable housing land. This includes an additional buffer of at least 5%, in order to ensure choice and competition in the market for housing land.

9.2 The most up to date assessment of housing land supply informed by the March 2019 five-year Housing Land Supply Summary identifies the total potential five-year housing land supply in the borough at 5,396 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a surplus against the Local Plan requirement (or a 6.1-year supply of housing land). It is important to note that this assessment of five-year land supply includes just over 2,000 homes at proposed housing allocations within the Local Plan (2017).

9.2 The application site is allocated for up to 41 residential units according to the Local Plan. The current proposal seeks to provide 65 new residential units as part of the proposed extra care accommodation. The Local Plan figure of 41 is a potential figure derived from a desk-based assessment taking into account site constraints and then applying a density. It was not derived following detailed design work, which took into account the full nature of the development now proposed, such work which has been undertaken as part of this application.

9.3 Although the Council can demonstrate a five-year supply of deliverable housing sites, this figure is a minimum rather than a maximum. Further planning permissions that add to the supply of housing can be granted which add to the choice and range of housing. Members need to weight this in their decision.

10.0 Character and appearance

10.1 NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

10.2 Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (para. 130, NPPF).

10.3 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis of the characteristics of the site, its wider context and the surrounding area.

10.4 The Council has produced an SPD on Design Quality (May 2018), which seeks to encourage innovative design and layout and that contemporary and bespoke architecture is encouraged. The chosen design approach should respect and enhance the quality and character of the area and contribute towards creating local distinctiveness.

10.5 The proposal comprises a three-storey building with the principal elevation facing onto Marine Gardens and arranged in a T-shape with landscaping to the east and north and a communal garden and car parking to the west.

10.6 The applicant has submitted a detailed Design and Access Statement in which the design principles of the proposed scheme are set out, including looking at the previous scheme for the site which was refused planning permission and addressing the reasons for this. With regard to the current application, the Council's Design Officer originally raised concerns with regard to the impact of the proposed development on the building lines of Marine Gardens and Coquet Avenue and the long flat design of the Marine Gardens elevation. He also raised concerns about the use of grey brick and about the quality of residential accommodation provided within some units on the internal corners of the building.

10.7 In response, the applicant has submitted revised plans and further clarity on the proposals, including materials. The revisions to the plans are set out below:

- Building stepped back to reflect the existing building line of Marine Gardens
- 2no. additional sets of balconies added to this northern elevation to provide further detail to the elevation and improved articulation.
- Middle gable bay pushed out by 450mm to provide further articulation. This creates a slightly larger 1Bed flat, which the applicant considers mitigates the concern of this elevation being too long in form.
- Substation relocated to sit behind street building line of Coquet Avenue.
- Conservatory omitted.
- New design and 2 bed flat type to avoid a resultant single aspect to the internal corner units.

10.8 Clarification has also been provided with regard to the grey brick. The colouring proposed is a buff product. The term grey has been added to differentiate this from a 'golden' buff that would not be appropriate in this location. Furthermore, brick detailing has been introduced to reflect the decorative use of brick in the listed St. Edward's church.

10.9 The Design Officer considers that the revised plans address some of the issues previously raised. He remains concerned with regard to the impact on the building line of Marine Gardens, but he has advised that it should not substantially impact the overall character of the street. The Design Officer does not object, but does have concerns regarding the quality of accommodation provided within units occupying the internal corners (specifically, units F08, F28,

F37, F52 and F61), in that he considers the main habitable rooms of these units will be substantially overshadowed with a poor outlook.

10.10 However, after careful consideration of this point, the Case Officer notes that whilst the windows serving the main living area and bedrooms of each of these units will be set back slightly, they will face out onto their own private balcony areas and enjoy largely unobstructed views towards the landscaped area and highway beyond to the south east, and the parking area, communal gardens and highway beyond to the south west. Although the windows may be slightly overshadowed by the above balcony, it is not considered that this will provide an unacceptably poor standard of outlook or daylight given that the window and door serving the main living area will be relatively large and will provide access to the balcony. Direct sunlight will be available to the south eastern/eastern facing windows of a morning, and to the western/south western facing windows of an afternoon/evening.

10.11 In conclusion, it is considered that the proposed development responds well to the site layout and integrates well with the surrounding buildings in accordance with advice in the NPPF and policy DM6.1 and the Design Quality SPD. Members need to consider whether they agree.

11.0 Impact upon Heritage Assets

11.1 Paragraph 192 of the NPPF states that in determining planning applications local planning authorities should take account of; (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and; (c) the desirability of new development making a positive contribution to local character and distinctiveness.

11.2 Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be.

11.3 Paragraph 194 states that where a proposed development would result in any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be Exceptional.

11.4 Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

11.5 Policy S6.5 seeks to pro-actively preserve, promote and enhance its heritage assets by amongst other matters respecting the significance of assets.

11.6 Policy DM6.6 states that proposal that affect heritage assets or their settings, will be permitted where they sustain, conserve and where appropriate enhance the significance, character and setting of heritage assets in an appropriate manner.

11.7 Policy AS8.15 seeks to integrate growth and development at the Coast with the protection and enhancement of the built and natural environment, in particular the heritage assets at Whitley Bay.

11.8 The site is within close proximity to three listed buildings. St Edwards Church which is Grade II listed and located immediately to the south of the application site. Further to the north at the junction between Park Road and Marine Avenue, there is a sewer gas lamp and further way the north-west is Spanish City, which consists of The Dome and former Empress Ballroom which is currently vacant. The Spanish City is Grade II listed also.

11.9 The Design Officer has also acknowledged the location of the site next to St. Edwards Church. He has noted that the submitted street scenes show that the proposal has an acceptable relationship to the Church and will not have a negative impact on its setting. In addition, the elevation onto Coquet Avenue has a hip roof which helps to reduce the mass of this scheme.

11.10 With regards to the sewer gas lamp it is also considered that the proposal would not adversely affect its setting. The new development would be visible when standing next to the sewer gas lamp and looking south. However, it would be viewed in the context of the Playhouse, which is a tall building, and the modern development of Marine Park First School. Due to the significant separation distance the proposal would not adversely affect its setting.

11.11 In terms of the Dome, it is also considered that the proposal would not have an adverse impact. The Dome is situated on the sea front. The principal views of the Dome and the most important are those looking along the Coast especially from the north looking southwards. Due to the fact that this site is set further away from the seafront and the other tall buildings in this area, such as the Playhouse and St Edwards Church, it is considered that it would be seen in this context and would not have an adverse impact upon the Dome's setting.

11.12 Members need to determine whether the proposal would adversely affect the character or setting of listed buildings. Officer advice is that the proposed development is in accordance with advice in NPPF and policies S6.5, DM6.6 and AS8.15.

12.0 Impact upon neighbours

12.1 The NPPF states that there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles. The environmental role contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.

12.2 Policy S1.4 'General Development Principles' states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

12.3 Policy DM6.1 'Design of Development' states that proposals are expected to demonstrate a good standard of amenity for existing and future residents and users of buildings and spaces.

12.4 Policy DM5.19 'Pollution' states that development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity.

12.5 Policy DM7.9 'New Development and Waste' states that all developments are expected to:

- a. Provide sustainable waste management during construction and use.
- b. Ensure a suitable location for the storage and collection of waste.
- c. Consider the use of innovative communal waste facilities where practicable.

12.6 Concerns have been raised by local residents with regard disturbance during the construction phase. However, such disturbance will be temporary and the impact can be reduced through a condition to limit the hours during which building work can take place.

12.7 The neighbours most likely to be directly affected by the proposals are the future occupiers of the proposed residential dwellings adjacent to the western boundary of the application site (the proposed nine dwellings subject of 20/00445/FUL) and then the occupants of dwellings on Marine Gardens and Coquet Avenue.

12.8 The proposed development will be separated from the side elevation of No.1 Marine Gardens by a significant distance and the new dwellings (subject of 20/00445/FUL, if approved). It is not considered the proposal will result in any adverse impact on the living conditions of the occupants of No.1 due to the distance from this property. The southern projecting length of the proposed development will have windows facing towards the rear of properties on Marine Gardens and Coquet Avenue, but these will be positioned at a right angle to these dwellings and a significant distance away. Therefore, privacy, outlook, daylight and sunlight to the rear and side elevations of these dwellings will not be harmed.

12.9 The proposed development will be visible from the front elevations of No's 8-18 Marine Gardens (on the opposite side of Marine Gardens). However, these views will be at an oblique angle and from a significant distance. As such, any impact on outlook for the occupants of these properties will be minimal and not adverse.

12.10 For the occupiers of No.2 Coquet Avenue it is also considered that the proposal would not have an adverse impact. No.2 Coquet Avenue is separated from the application site by the former Church Hall, which is currently disused and in a poor state of repair although it has an extant planning permission to be used as a swimming pool. The approved plans shows that there would be no openings on the eastern flank elevation facing towards the application site and therefore this application would not adversely affect the privacy of the swimming pool. The proposed development will have windows facing towards this site at a significant distance.

12.11 For the occupiers of St Edwards Church it is also considered that the proposal would not adversely affect the privacy or amenity of the users of this building. Although the proposal will be three storeys in height towards the eastern end of the site, it will be located to the north of the Church and as such would not adversely affect the amount of sunlight.

12.12 For the occupiers of No's 3-9 Coquet Avenue it is also considered that the proposal would not have an adverse impact. These occupiers would be looking out onto the car park, communal garden and the southern and western facing elevations of the proposal. Due to the separation distance it will not result in harm to the living conditions of the occupants of these properties.

12.13 The Manager of Environmental Health has suggested several conditions to ensure that appropriate mitigation is provided to address cooking odours from the extra care unit kitchen and that the location of extraction flues are detailed and agreed. Other conditions will control deliveries to and from the site and any external lighting.

12.14 Concern has also been expressed by Marine Park Primary School that the proposed development would overlook the school playground and that this would be detrimental to their amenity. This concern is noted and it is also noted that an objection of the same nature was raised during the consideration of the previous planning application for the site (17/00817/FUL). In consultation on 17/00817/FUL, the Senior Manager of Education advised that Schools, by their very nature, are located at the heart of the communities they serve and are generally visible within their catchment (generally there would be concerns for those schools hidden from public view, in terms of their lack of presence within their communities, and the potentially detrimental impact this has for pupil numbers). Many existing, and more recently built schools are overlooked by residential, community and industry/employment properties.

12.15 Safeguarding is an essential principle that the school manages, and this focuses upon the activities and access arrangements in and around the school. Schools work on the principle of Public, Privileged and private spaces, in terms of who, why, when and where members of the public can gain access to school buildings. The monitoring of who can see into a school from a public highway or other development is not something that can be controlled, it would, however be for the school to ensure that the public cannot see into school spaces where the children are in vulnerable circumstances, i.e. changing accommodation or medical examinations.

12.16 In her comments in respect of 17/00817/FUL, the Senior Manager of Education advised that, as a rule, the Local Education Authority would not object to residential developments unless there were safeguarding concerns that went beyond that of 'normal' community presence.

12.17 Furthermore, the applicant has responded to this concern arguing that in terms of its juxtaposition to other uses, the school effectively turns its back on the existing residential street to protect the privacy and enjoyment of adjoining residents and the users of the school alike. With this relationship in mind, it is presented that there is no such potential for direct overlooking to classrooms or playgrounds from the proposed retirement building. Moreover, the scheme originally proposed for the site under planning reference 17/00817/FUL, subsequently refused by planning committee on other planning grounds, concluded that this similar arrangement was acceptable and with no specific concern being raised by the school/and or Education Department with regard to the balconies that were included within that particular scheme.

12.18 It is Officer advice that the proposal would not adversely affect the amenity or privacy of children at Marine Park Primary School.

12.19 Members must determine whether the proposed development is acceptable in terms of its impact on amenity of surrounding occupiers. Officer advice is that the proposed development is acceptable in this regard.

13.0 Whether the proposed housing would provide an acceptable standard of residential accommodation for future occupiers

13.1 Paragraph 180 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

13.2 Policy DM5.19 states that development that may be sensitive such as housing to potentially polluting sources, will not be sited in proximity to such sources.

13.3 The Manager of Environmental Health has been consulted and states that she has concerns with regard to noise from the Playhouse and traffic noise affecting future residents.

13.4 She has viewed the noise assessment that has considered daytime noise from the school and from the road traffic noise and night time noise arising from the Playhouse. The night time noise monitoring occurred during a music event. The report confirms that music from the event was not audible at the development site, but that the main noise sources included for cars leaving the car park, revellers leaving the venue and crews loading 2 vans. The noise assessment included for a BS4142 assessment of the noise from the loading operations and determined that the noise would not amount to a significant adverse impact.

13.5 However, the noise report has determined that road traffic noise is high and gave levels of between 58 - 65 dB for proposed properties adjacent to Park Road. If residents choose to open windows for habitable rooms facing onto the road and onto Marine Park First School they will be exposed to high noise levels that will result in the internal noise levels being above the recommended levels within BS8233. A form of enhanced glazing will be necessary.

13.6 The Manager of Environmental Health also notes that the apartments will include balconies. The noise levels for those located on the eastern elevation will exceed the upper threshold level recommended by the World Health Organisation of 55 db LAeq. It will therefore be necessary for some form of screening to be provided to the balconies at an approximate height of 1.2m to provide partial acoustic screening. Other external areas are to the rear of the property and will be afforded screening by the building itself. However, if any garden area has a line of sight of Park Road then this will require a minimum 1.8m high acoustic fence or wall to be provided to mitigate road traffic noise.

13.4 The Manager of Environmental Health does not object subject to conditions.

13.5 The applicant has advised that the site will be landscaped with a varied high-quality palette of materials. This will include accessible hard surfaces, areas of soft landscaping, and raised beds to provide enjoyment for all. The introduction of small trees will add height and variety to the proposals. This will also enhance and maintain the streets of tree avenues to Coquet Avenue and Marine Gardens. To the north and eastern boundaries, a 1.2m native hedge is proposed to provide soft boundary treatments.

13.6 Members need to consider whether the proposed development will be acceptable in terms of the standard of residential amenity provided to future occupants. It is Officer advice that the proposed development will provide an acceptable standard of residential amenity for future residents, subject to the suggested conditions.

14.0 Car Parking and Access

14.0 NPPF recognises that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives.

14.1 All development that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so the likely impacts of the proposal can be fully assessed.

14.2 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.3 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are take into

account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

14.4 The Transport and Highways SPD sets out the Council's adopted parking standards.

14.5 For C2 (residential institutions) developments the Transport and Highways SPD requires the provision of 1no. parking spaces per five bedrooms plus 1no. disabled bay per 20no. spaces. This results in a need for 13no. parking spaces.

14.6 The proposed car park contains 34no. parking spaces (including 2no. disabled bays and 2no. which will accommodate electric charging points) with an access from Coquet Avenue. A Transport Statement has been submitted with the application.

14.7 Objections have been submitted by local resident with regard to the impact of the proposed development in terms of traffic congestion, impact on on-street parking provision, highway safety, including during the construction phase, and the safety of the access point. These concerns are noted. Whilst it is acknowledged that the proposal will result in a reduction in on-street parking provision this is due to the fact that local residents have benefitted from this privately owned, previously developed site, having lain vacant for several years.

14.8 The Highway Network Manager has noted that site is accessed from Coquet Avenue and an appropriate level of parking has been provided for the proposed use. The site also has good links with public transport and there are parking controls in place in the vicinity of the site

14.9 The site is also within a sustainable location being within the Whitley Bay town centre and therefore is close to public transport.

14.10 Adequate facilities will be provided within the site for the storage and collection of waste.

14.11 Members need to consider whether the proposal would provide sufficient parking and access and weight this in their decision. It is officer advice that subject to conditions it would, in accordance with the advice in NPPF, Policy DM7.4 and LDD12.

15.0 Biodiversity and Landscaping

15.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

15.2 Paragraph 175 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

15.3 Policy DM5.5 of the Local Plan states that all development proposals should amongst other matters protect biodiversity and minimise the fragmentation of habitats and wildlife links.

15.4 Policy DM5.9 supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

15.5 The applicant has submitted an Ecological Report, a Habitats Regulation Assessment and landscaping details on the proposed site plan. The Council's Biodiversity and Landscape Officers have each commented on the proposals, with both requesting the attachment of a condition to require a detailed landscape scheme.

15.6 In addition, the Biodiversity Officer has noted that the site consists of approximately 0.5ha of grassland with no other landscape features within the site and she has raised no objections, subject to the attachment of conditions in relation to a Construction Environmental Management Plan (CEMP), and the provision of house martin nest boxes, bird nesting boxes, and bat boxes.

15.7 A report to inform a Habitat Regulations Assessment has been submitted by the applicant. Habitats within the Site have been assessed as not suitable for bird species associated with the SPA and Ramsar site, however, recreational disturbance arising from residential developments has the potential to impact on protected coastal sites (qualifying bird species). The report notes that the proposed development will comprise a total of 65 retirement apartments for residents aged over 70 and the Council's Coastal Mitigation SPD states that purpose-built schemes for the frail and elderly with an element of 24 hour care may be considered to have little to no recreational impacts on European Sites.

15.8 The Biodiversity Officer agrees with the conclusion of the report in that it is reasonable to assume that recreational impacts on the qualifying features of the SPA and Ramsar site are very unlikely. The residential population are unlikely to walk significant distances and if new residents do walk to the coast then it is likely that they will mostly use the promenade and will avoid the rocky shore areas where the birds are known to be present. As such, she does not consider that mitigation is required in this case. Natural England agree that it is unlikely residents would be visiting the coast. It is therefore officer advice that a contribution is not required in this case.

15.10 It is officer advice that subject to conditions that the proposal would not result in an adverse impact in terms of landscaping and ecology, and therefore would accord with the advice in NPPF, Policy DM5.5 and policy DM5.9 of the Local Plan.

16.0 Other Issues

16.1 Contamination and Land Stability

16.2 The NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

16.3 Policy DM5.18 states that where a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment proposals must be accompanied by a report which amongst other matters sets out measures to allow the development to go ahead safely without adversely affect, which will be secured via a condition of any planning permission.

16.4 The applicant has submitted a Phase 1 Desk Top Study and Coal Mining Risk Assessment and a Phase 2 Ground Investigation Report. The site is located within a Coal Mining Referral Area, meaning there is a requirement to consult with The Coal Authority and also within a Contaminated Land Buffer Zone. The Council's Contaminated Land Officer does not object subject to conditions. The Coal Authority does not object to the proposed development and states that no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

16.5 Members need to consider whether the site could be development safely without adverse effect in accordance with policy DM5.18. It is officer advice that it could.

17.0 Flooding

17.1 The National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.

17.2 Policy DM5.12 states that all major development will be required to demonstrate that flood risk does not increase as a result of the development proposed and that options have been taken to reduce the overall flood risk for all sources. Taking into account the impact of climate change over its lifetime.

17.3 Policy DM5.14 seeks a reduction in surface water run off rates will be sought for all new development.

17.4 The applicant has submitted a Flood Risk and Drainage Statement. This states that the proposed development is within Flood Zone 1, which is at low risk of flooding.

17.5 Northumbrian Water have confirmed they have no issues to raise with the proposed development, provided the application is approved and carried out within strict accordance with the submitted document entitled "Proposed Drainage Layout", which states that states that foul and surface water flows will discharge to the combined sewer slightly upstream of manhole 3501, with surface water being restricted to 2.3l/sec.

17.6 The Council's Local Lead Flood Authority has confirmed that he has no objections to the proposed development, subject to conditions.

17.7 Members need to consider whether the proposal would accord with the advice in NPPF and policies S5.11, DM5.12, DM5.14 and DM5.15 and weight this in their decision. It is officer advice that it would.

18.0 S106 Contributions

18.0 Paragraph 54 of NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

18.1 Paragraph 56 of NPPF states that planning obligations must only be sought where they meet all of the following tests;

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

18.2 Paragraph 64 of NPPF expects affordable housing to be provided unless the proposed development provides specialist accommodation for a group of people with specific needs such as purpose-built accommodation for the elderly. The housing would provide specialist accommodation and therefore there is no requirement to provide affordable housing.

18.3 Policy S7.1 states that the Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of provision.

18.4 The Council will also work together with other public-sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure. This will include the use of combined and innovative funding schemes to maximise the amount and impact of funding.

18.5 New development may be required to contribute to infrastructure provision to meet the impact of that growth, through the use of planning obligations and other means including the Community Infrastructure Levy (CIL).

18.6 Planning obligations will be sought where:

- a. It is not possible to address unacceptable impacts through the use of a condition; and,
- b. The contributions are fair, reasonable, directly related to the development and necessary to make the application acceptable.

In determining the level of contributions required from a development, regard will be given to the impact on the economic viability of the scheme.

18.7 Policy DM7.2 states that the Council is committed to enabling a viable and deliverable sustainable development. If the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. When

determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.

18.8 Policy DM7.5 states that the Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training. Applicants are encouraged to agree measures with the Council to achieve this, which could include:

- a. The development or expansion of education facilities to meet any identified shortfall in capacity arising as a result of the development; and/or,
- b. Provision of specific training and/or apprenticeships that:
 - i. Are related to the proposed development; or,
 - ii. Support priorities for improving skills in the advanced engineering, manufacturing and the off-shore, marine and renewables sector where relevant to the development.

18.9 The Council's adopted SPD on Planning Obligations (2018) states that the Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with the applicants to identify appropriate solutions where matters of viability arise and require negotiation.

18.10 The following contributions have been requested:

- Employment and training: 2 apprenticeships

18.11 The proposal is for a C2 (residential care) development where all residents are elderly and in increasing need of care. As such, it is unlikely that they will impact on the use of community spaces for outdoor activities and allotments etc. Indeed, onsite landscaped gardens will be provided which will be suitable for use by residents

18.12 As such, it is considered that in this case no S106 contributions towards ecology/biodiversity or parks/greenspace are required due to the specific nature of the development and the expected lower mobility of most residents.

18.13 A condition is recommended in respect of providing two apprenticeship opportunities during the construction phase.

18.14 Members need to consider whether the proposal would accord with policy DM4.7 and the advice in the SPD and weight this in their decision. It is officer advice that it would.

19.0 Local Financial Considerations

19.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance considerations as far as it is material. Section 70(4) of the 1990 Act (as

amended) defines a local financial consideration as a grant or other financial assistance that has been, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments). It is considered that the proposal would result in benefits in terms of jobs during the construction.

19.2 The proposal would not contribute towards New Homes Bonus, as care homes are exempt from Council Tax. However, economically there would be a benefit in terms of the provision of construction jobs during the build and jobs associated with the care of the residents once the scheme is complete and occupied.

20.0 Conclusions

20.1 This proposal would provide extra care residential accommodation for older people, which is a benefit of the scheme and a material consideration of substantial weight. It would be integrated into the local residential community. It would subject to conditions, provide an acceptable residential living environment for future occupiers and would not have an adverse impact upon the character and appearance of the surrounding area, or on neighbouring properties. The proposal would avoid having an adverse impact on highway safety. Therefore, subject to conditions and on balance, it is recommended that planning permission should be granted.

RECOMMENDATION: Application Permitted

Members are requested to authorise that the Head of Law and Governance and the Head of Environment, Housing and Leisure to undertake all necessary procedures (Section 278 Agreement) to secure:

Upgrade of existing footpaths abutting the site

Alterations to resident parking scheme on Coquet Avenue

Associated drainage

Associated street lighting

Associated road markings

Associated signage

Associated Traffic Regulation Orders

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.

- Application Form 31.01.20
- Location & Context Plan, NE-2651-AC-001, P1, Jan'20
- Proposed Site Plan, NE-2651-AC-002, P4, 26.06.20
- Proposed Streetscenes, NE-2651-AC-003, P3, 26.06.20
- Proposed Indicative Streetscenes, NE-2651-AC-004, P3, 26.06.20
- Proposed Ground Floor Plan, NE-2651-AC-005, P4, 26.06.20
- Proposed First Floor Plan, NE-2651-AC-006, P3, 29.06.20
- Proposed Second Floor Plan, NE-2651-AC-007, P3, 29.06.20
- Proposed Elevations, NE-2651-AC-008, P4, 24.06.20
- Proposed Elevations, NE-2651-AC-009, P5, 26.06.20

- Proposed Roof Plan, NE-2651-AC-012, P4, 26.06.20
- Proposed Drainage Layout, McC&S-MG-WB-002, 21.11.19
- Proposed Site Sections, NE-2651-AC-010, P1, 30.01.20
- Addendum 1 Material Justification Updated June 2020
- Marine Gardens 2019 Ecology Report, P19-912, Jan 2020 (BSG Ecology)
- Report to Inform a Habitat Regulations Assessment, P19-912 Marine Gardens 2019 HRA report, Jan 2020
- Phase 2: Ground Investigation Report, Project No: 16-087, 23.03.2016
- Phase 1: Desk Top Study and Coal Mining Risk Assessment Report, Project No: 16-087, 22.03.2016
- Transport Statement, December 2019 (Ref: TPL 19-109-001.01D)
- Design and Access Statement, January 2020
- Planning Statement, January 2020
- Flood Risk and Drainage Statement, ref.19056/FRA.1, January 2020

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. New Access Access Before Devel ACC01 *
0

4. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

5. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. Prior to occupation of the development details of facilities to be provided for the storage of refuse at the premises must be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017).

7. Prior to occupation of the development a refuse collection management scheme must be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme, which must also identify a suitable storage area for collection day, shall be implemented in accordance with the approved details and retained thereafter.

Reason: In order to safeguard the amenities of the area having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017).

8. Construction Method Statement - Minor SIT006 *

9. Prior to occupation of the development a parking management scheme must be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety; having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

10. The development hereby approved shall not be commenced until full drainage design details of surface water attenuation from the highway, footpaths and other hard surfaces have been approved in writing by the Local Planning Authority. Such details must also include confirmation of the proposed surface water discharge rate for the development, a copy of the micro-drainage report detailing the proposed discharge rate for the development and the volumes of surface water attenuation required to attenuate a 1in100yr +40%cc rainfall event, and details of the maintenance regime for the surface water drainage system. Thereafter, the development must be carried out in accordance with the agreed details prior to first occupation of any residential unit.

Reason: These details are required in advance of development as the drainage is likely to be provided early in the construction process. This will ensure that the drainage details can be agreed and provided in advance of the works commencing so that when works start they can be incorporated into the development as it proceeds having regard to policy DM5.12 of the North Tyneside Local Plan 2017.

11. Development shall be implemented in line with the "Proposed Drainage Layout" submitted as part of the application. The drainage scheme shall ensure that foul and surface water flows discharge at the combined sewer slightly upstream of manhole 3501. The surface water discharge rate shall be restricted to 2.3l/sec.

Reason: To prevent flooding in accordance with policy DM5.12 of the North Tyneside Local Plan 2017.

12. Contaminated Land Investigation Housing CON00 *
1

13. Gas Investigate no Development GAS00 *
6

14. Prior to occupation of the development a fully detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species, which should be beneficial for biodiversity. Trees and hedgerows to be native species and trees to 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 occupation of the buildings or the completion of the development, whichever is the sooner. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species. All hard and soft landscape works shall be carried out in accordance with the relevant recommendations of British Standard 8545:2014. The landscape scheme shall include a maintenance schedule for a minimum period of five years including details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule.

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

15. No vegetation removal shall take place 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.

16. Prior to the occupation of development 5no. bird nesting boxes (hole nesting and open fronted boxes) must be provided in suitable locations within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in accordance with the approved details.

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.

17. Prior to the occupation of development 3no. house martin nest boxes must be provided in suitable locations within the development site. Details of the box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in accordance with the approved details.

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.

18. Prior to the occupation of development 3no. bat boxes must be provided in suitable locations within the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in

accordance with the approved details.

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.

19. Prior to commencement of the approved development a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works must be carried out in complete accordance with the approved details.

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.

20. Prior to installation of any floodlighting or other form of external lighting , a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

To reduce external lighting that may deter bats using boundary hedges, high intensity security lights should be avoided. Where security lights are required, these should be of minimum practicable brightness, be set on a short timer and be motion sensitive only to larger objects. The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interests of visual amenity and to ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.19 and DM5.5 of the North Tyneside Local Plan.

21. Prior first occupation details of any new street lighting associated with the approved development, including the design, height and location of lampposts (which shall be designed to be fully cut off so as not to direct lighting up in the atmosphere) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Newcastle Airport. Thereafter the street lighting shall be implemented in accordance with the approved details.

Reason: In the interests of aerodrome safeguarding.

22. Prior to occupation of the development the following details and a timescale for their implementation must be submitted to and approved in writing by the Local Planning Authority:

Upgrade of existing footpaths abutting the site
Alterations to resident parking scheme on Coquet Avenue
Associated drainage
Associated street lighting
Associated road markings
Associated signage
Associated Traffic Regulation Orders

Thereafter, these agreed works shall be carried out in accordance with the agreed timescales and retained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

23. Prior to construction above damp proof course the details specifying how the applicant intends to offer opportunities to local unemployed people during the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, it shall be implemented in accordance with the agreed details.

Reason: To enable the Council to put forward local eligible unemployed people with a view to securing work and training opportunities to encourage employment in accordance with policy S2.1 of the North Tyneside Local Plan (2017).

24. Restrict Hours No Construction Sun BH HOU00 *
4

25. There shall be no deliveries or collections between the hours of 21:00 and 08:00 hours.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

26. Prior to occupation of the approved development a noise scheme for the acoustic glazing in accordance with noise report ref.LAE1015.1 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall address the external road traffic noise, and noise from Marine Park First School and The Playhouse. The glazing must ensure that bedrooms meet the good internal equivalent standard of 30 dB LAeq at night and prevent the exceedance of LMAX of 45 dB(A), and living rooms meet an internal equivalent noise level of 35 dB LAeq as described in BS8233:2014 and the World Health Organisation community noise guidelines. Thereafter the development shall only be carried out in accordance with the approved details.

Reason: To ensure an acceptable residential living environment for future occupiers in accordance with policy DM5.19 of the North Tyneside Local Plan 2017.

27. Prior to occupation of the development a ventilation scheme to ensure an appropriate standard of ventilation with windows closed (for habitable rooms with line of sight to Park Road, the Playhouse and Marine Park First School) must be submitted to and approved in writing by the Local Planning Authority. Where the

internal noise levels specified in BS8233 are not achievable with windows open due to the external noise environment, an alternative means of mechanical ventilation must be provided that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. Thereafter the development shall only be carried out in accordance with the approved details.

Reason: To ensure an acceptable residential living environment for future occupiers in accordance with policy DM5.19 of the North Tyneside Local Plan 2017

28. A 1.2m high acoustic screen must be installed to all balconies facing Park Road and Coquet Avenue prior to first occupation of the associated residential unit. The acoustic screen shall be maintained thereafter.

Reason: To ensure an acceptable residential living environment from those units with balconies in accordance with policy DM5.19 of the North Tyneside Local Plan 2017.

29. Prior to the first occupation of any of the residential units that have a line of sight to Park Road, the Playhouse, and Marine Park First School details of acoustic screening to be provided to any main external garden of the extra care unit that has line of sight to Park Road and Marine Park First School shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the screening shall be provided in accordance with the approved details prior to occupation of any of the aforementioned units.

Reason: To ensure acceptable residential living environment for those properties in line of sight of Park Road, The Playhouse and Marine Park First School in accordance with policy DM5.19 of the North Tyneside Local Plan 2017.

30. Prior to the installation of any equipment for the cooking, heating or re-heating of food within the kitchen associated with the café/communal dining area, an odour suppression system for the arrestment of cooking odours must be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented prior to the cooking equipment being brought into use and thereafter retained and maintained in accordance with the manufacturers specification.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

31. Prior to the installation of any air ventilation system, full details of the system must be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details and permanently retained.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

32. Prior to the installation of any refrigeration plant full details of the system must be submitted to and approved in writing by the Local Planning Authority.

The plant shall thereafter only be installed in accordance with the approved details and permanently retained as such.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

33. Full details of the height, position, design and materials of any chimney or extraction vents to be provided in connection with the development must be submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

34. Prior to the installation of any external plant a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with BS4142 and must determine the current background noise levels without the plant operating at the boundary of the nearest residential premises and appropriate mitigation measures where necessary to ensure the rating level of external plant and equipment does not exceed the background noise. Prior to the plant being brought into operation (other than for testing purposes) acoustic testing must be undertaken to verify compliance with this condition, and submitted to and approved in writing by the Local Planning Authority. Thereafter the plant must be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

35. Prior to the use of any cranes at the application site a Crane Method Statement for the duration of the construction period must be submitted to and approved in writing by the Local Planning Authority. The statement shall provide the ground height of the site and stipulate the maximum height of any crane to be used on the site. All cranes must be fitted with red obstacle lights at their highest points and be lit at all times when the jib is in the raised position. The statement should set out at least the following:

- The exact location of the centre of the crane, as an OS Grid reference (to at least 6 figures for each of eastings and northings), or marked on a map showing the OS Grid each time the crane is raised and should be communicated with ATC;

- The maximum operating height in metres Above Ordnance Datum (AOD), or the height of crane Above Ground Level (AGL) plus ground level in AOD;

- The type of crane/equipment;

- The radius of the jib/boom of a fixed crane/the area of operation of a mobile crane;

- The intended dates and times of operation;

- Applicant's name and contact details, and;

- Proposed obstacle lighting to be installed (Low intensity steady red obstacle lights should be used).

Reason: In the interest of aerodrome safeguarding and in accordance with

the National Planning Policy Framework.

36. Dust suppression during construction SIT03 *

37. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking or re-enacting that Order), the building/land shall be used only for the purpose of extra care housing for the elderly and for no other purpose including any other purpose within Use Class C2.

Reason: To enable the Local Planning Authority to retain control over the use and to safeguard the amenities of the area, protected habitats and highway safety; ; having regard to policies DM5.19, DM7.4 and DM5.5 of the North Tyneside Local Plan (2017).

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

Coal Mining Standing Advice (FUL,OUT) (I44)

Street Naming and numbering (I45)

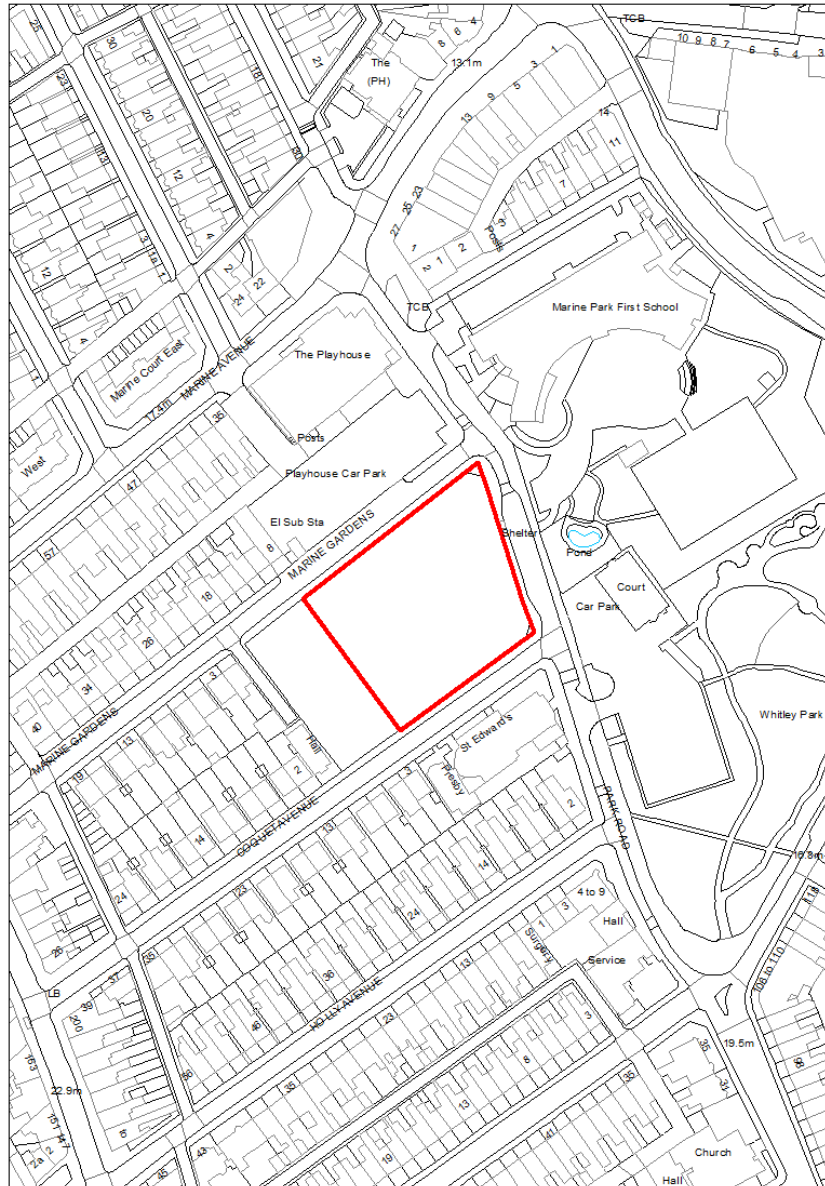
Highway Inspection before dvlpt (I46)

The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure.

The applicant is advised that future residents may not be entitled to a parking permit under the council's residential permit scheme. For further information contact the Parking Control Team: parkingcontrol@northtyneside.gov.uk (0191) 643 2121

The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling and garden waste collection vehicles against any claims for damages to the internal road and parking layout.

Doors and windows should aim to meet PAS 24: 2016 and glazing should aim to meet BS EN 356: 2000 with a test rating of P1A. These specifications are listed in the police approved security scheme Secured by Design (SBD) and further details can be found at www.securedbydesign.com and following the links to design guides and then following the advice in SBD Homes 2019.



Application reference: 20/00165/FUL

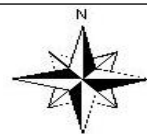
Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear

Proposal: Erection of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking

Not to scale

Date: 23.07.2020

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Consultations/representations

1.0 Representations

6 objections, 4 support, 2 neutral:

1.1 Objections:

- Planning Officer confirmed at 2018 planning committee meeting that the site was not a brownfield site, but a greenfield site, wrongly designated in the Local Plan.
- Loss of greenfield site/public open space. One of the few vacant green spaces in Whitley Bay and is currently used by families and young people for football, kite-flying etc; and by dog walkers;
- No s106 contributions and no compensation for loss of public space. Applicant is arguing that the development is a nursing home, but it would show some willingness to engage with residents to make a voluntary payment. I recognise the need for housing for older people but this should not be at the expense of the local community.
- Inadequate parking provision;
- Loss of on street parking spaces for existing residents of the adjacent streets;
- Streets are too narrow;
- Increased traffic congestion;
- Impact on road safety as a result of at least 128 additional vehicle movements on Coquet Avenue each day;
- Lack of construction plan;
- Large building so close to street corners will restrict views and pose a highway danger to school children and pedestrians;
- Concerned that the developer (and the Council) are unaware that the disabled access to St Edward's RC Church is on Coquet Ave. Visitors with limited mobility use parking spaces at the east end of the street and residents try to keep the spaces free for them. The proposed entrance to the site needs to provide space for vehicles to turn because the street is so narrow and this will remove some of these spaces.
- The D&A statement is misleading regarding parking and width of streets;
- More retirement homes are not needed.

1.2 Support:

- As a resident on Marine Gardens of nearly 15 years I am very supportive of the proposed development. I was aware at the time of moving into the street that development of the land was inevitable (from memory there was actually permission in place at one point) and feel this is an excellent, sympathetic proposal;
- High quality design;
- More retirement accommodation is needed in Whitley Bay;
- This will utilise an area underused for many years;
- Limited environmental impact.

1.3 Marine Park First School

1.4 The school are keen to reduce the risk of overlooking and the balconies. I know that from a safeguarding perspective if someone was to 'hang about' outside of the school, they would be moved on. There is a risk of residents having unhindered access to views of children and also there is a (small) risk that they could expose themselves. Unfortunately, this situation does occur from residential properties in view of schools. For Marine Park First School, this would be a new situation created as a result of this development which does not currently exist. Indeed, the current school effectively turns its back on the existing residential street to the north of the site to protect the privacy and enjoyment of residents and the users of the school alike. I therefore wish to lodge this as an objection to the development proposals.

1.5 Ward Councillor (Whitley Bay)

1.6 Councillor O'Shea

1.7 I would like to make representations to the relevant Planning Committee in the event that planning officials do not recommend approval of the application.

1.8 Internal Consultees

1.9 Highway Network Manager

1.10 This is an application for the erection of extra care accommodation (Use Class C2) with associated private amenity space, landscaping and car parking. The site is accessed from Coquet Avenue and an appropriate level of parking has been provided for the proposed use. The site also has good links with public transport and there are parking controls in place in the vicinity of the site.

1.11 Recommendation - Conditional Approval

1.12 The applicant will be required to enter into an appropriate Legal Agreement with the Local Authority for the following works:

1.13 Upgrade of existing footpaths abutting the site
Alterations to resident parking scheme on Coquet Avenue
Associated drainage
Associated street lighting
Associated road markings
Associated signage
Associated Traffic Regulation Orders

1.14 Conditions:

ACC10 - New Access: Access before Devel
ACC20 - Visibility Splay: Detail, Before Devel (*2.4m by 43m by 0.6m)
PAR04 - Veh: Parking, Garaging before Occ
REF01 - Refuse Storage: Detail, Provide Before Occ
SIT06 - Construction Method Statement (Minor)

1.15 No development shall commence until a scheme to manage refuse collection, including identifying a suitable storage area for collection day has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and before the development is occupied.
Reason: In the interests of highway safety.

1.16 No part of the development shall be occupied until a car park management strategy for the site has been submitted to and agreed in writing by the Local planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities for the site and in the interests of highway safety.

1.17 Informatives:

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming and Numbering

I46 - Highway Inspection before dvlpmt

1.18 The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure.

1.19 The applicant is advised that future residents may not be entitled to a parking permit under the council's residential permit scheme. For further information contact the Parking Control Team:
parkingcontrol@northtyneside.gov.uk (0191) 643 2121

1.20 The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling and garden waste collection vehicles against any claims for damages to the internal road and parking layout.

1.21 Local Lead Flood Authority

1.22 I have carried out a review of the submitted documents related to the above planning applications surface water drainage proposals.

1.23 I can confirm in principle I have no objections to the proposed surface water drainage, the applicants intention is to attenuate surface water within the site via the use of underground storage crates which will accommodate a 1in100yr rainfall event including 40% increase for climate change. This will then discharge at a restricted discharge rate into the adjacent Northumbrian Water sewer.

1.24 I would advise the following conditions should be placed on the application;

- As the drainage plan and drainage statement are stating two different surface water discharge figures I will require confirmation from the applicant on the proposed surface water discharge rate for the development prior to commencement.
- A copy of the micro-drainage report detailing the proposed discharge rate for the development and the volumes of surface water attenuation required to attenuate a 1in100yr +40%cc rainfall event prior to commencement.
- Details of the maintenance regime for the surface water drainage system to be provided prior to commencement.

- Surface water drainage system to be constructed as per submitted plans subject to confirmation from LLFA regarding the suitability of the proposed surface water attenuation volumes and restricted discharge rate.

1.25 Contaminated Land Officer

1.26 I have read the PHASE 1: DESK TOP STUDY AND COAL MINING RISK ASSESSMENT REPORT. I note it states the following:

1.27 “In conclusion, several contaminative issues have been highlighted for this development site and these have been listed below;

1.28 Presence of made ground associated with historical activities.

- Potential presence of hazardous ground gases.

1.29 It is therefore concluded that ground contamination screening will need to be incorporated into the design of any future intrusive investigation works to confirm the risks posed towards Human Health (future end users).”

1.30 Based on this information the following must be attached;
Con 001 and Gas 006.

1.31 Landscape Architect

1.32 This application is for the retirement living plus accommodation. The development will include 65 dwellings, sheltered gardens, communal spaces and associated infrastructure including roads and parking. The site is located to the west of the A193, north of Coquet Avenue and south of Marine Gardens and immediately adjacent to the Marine Gardens First School and Whitley Park. To the east of the school is the Spanish City Plaza.

1.33 The site is relatively flat and currently an open green field, circa 0.43 hectares. There are no mature trees or hedgerows on site and comprises of approximately 0.5ha of poor semi-improved amenity grassland with a timber triprail to the boundaries. The site is of low ecological and landscape interest.

1.34 Any new landscaping associated with the development has the potential to provide increased landscape amenity and biodiversity and the submitted landscape strategy aims to provide opportunities to achieve this. It is proposed to provide a detailed landscape scheme to include accessible hard surfaces, areas of soft landscaping, and raised beds with the introduction of tree within the site to enhance both the development and the avenues of Coquet Avenue and Marine Gardens. To the north and eastern boundaries, a 1.2m native hedge is proposed to provide soft boundary treatments. This will be an increase the number of fauna species and an improvement in terms of landscape features on a site that is currently amenity grass.

1.35 It is important that a good quality landscape scheme is achieved that meets environmental, social and economic needs of the development. The inclusion of trees in the scheme is important for both amenity and biodiversity, particularly the planting of native tree species, but care should be taken in placing trees too close to the buildings where they are likely to outgrow their position and need to be removed in the future(southern elevation), or spaces are too small or narrow that

any soft landscape is impractical (boundaries to Coquet Avenue). Trees should be repositioned within the scheme rather than omitted and planting to boundaries substantial enough to support native hedgerows that provide biodiversity benefits.

1.36 I have no objection to the scheme subject to the following conditions being 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 include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species. Trees and hedgerows to be native species and trees to 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 relevant recommendations of British Standard 8545:2014. No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. 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 thereafter.

1.37 Biodiversity Officer

1.38 The above scheme is for the construction of 65 new retirement apartments with 24 hour carer support and associated infrastructure including roads and parking. The site is located to the west of the A193, north of Coquet Avenue and south of Marine Gardens. The site is designated for residential development and consists of approximately 0.5ha of grassland with no other landscape features within the site.

1.39 Ecological Survey:

1.40 The Site is dominated by an area of poor semi-improved amenity grassland and is therefore of low ecological interest. Nesting opportunities are very limited within the Site with little in the way of shelter and good quality foraging habitat and therefore it is concluded that birds are unlikely to nest within the site but may pass through on occasion. New landscaping within the Site has the potential to provide new roosting and foraging resources for birds.

1.41 Habitat Regulations Assessment:

1.42 A report to inform a Habitat Regulations Assessment has been submitted by the applicant, undertaken by BSG. Habitats within the Site have been assessed as not suitable for bird species associated with the SPA and Ramsar site, however, recreational disturbance arising from residential developments has the potential to impact on protected coastal sites (qualifying bird species). The report notes that the proposed development will comprise a total of 65 retirement apartments for residents aged over 70 and the Councils Coastal Mitigation SPD

states that purpose built schemes for the frail and elderly with an element of 24 hour care may be considered to have little to no recreational impacts on European Sites. As the proposed development is considered to fall within this development type, it concludes that it is reasonable to assume that recreational impacts on the qualifying features of the SPA and Ramsar site are very unlikely. The residential population are unlikely to walk significant distances and if new residents do walk to the coast then it is likely that they will mostly use the promenade and will avoid the rocky shore areas where the birds are known to be present.

1.43 The conclusions of this assessment are supported, and it is therefore considered that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites and mitigation will, therefore, not be required.

1.44 Landscaping:

1.45 The 'Proposed Site Plan' DWG No. NE-2651-AC-002, details landscaping that includes hedges, trees, grassland and shrubs within the site. I would recommend that boundary hedgerows are planted with native hedgerow species to provide benefits on site for biodiversity, particularly nesting birds. Native trees should also be incorporated into the scheme and ornamental shrubs should be tolerant of coastal conditions and include species that provide benefits for biodiversity.

1.46 I have no objection to the scheme subject to the following conditions being attached to the application:-

- A Construction Environmental Management Plan (CEMP) will be submitted to the Local Authority for approval prior to works commencing on site.

- A detailed landscape scheme must be submitted to the Local Authority for approval within 4 weeks of works commencing on site. Landscaping should include native hedgerows and trees as well as planting that is beneficial for biodiversity.

- 3no. house martin nest boxes will be provided on buildings within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 5no. bird nesting boxes (hole nesting and open fronted boxes) will be provided within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 3no. bat boxes will be provided on buildings within the development scheme. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- No vegetation removal will take place during the bird nesting season (March-August inclusive) unless a survey by a qualified ecologist has confirmed the absence of nesting birds immediately prior to development commencing.

1.46 Design and Layout

1.47 Comments provided on revised plans 22.07.20:

1.48 The revised plans have addressed some of the issues previously raised. The building line has been amended on the north elevation, however the proposal still does not follow the established building line on Marine Gardens. My advice previously noted that proposals for infill sites are expected to follow the existing scale, form and building line of surrounding development. Although the revised design does not reflect the principles set out in the Design Quality SPD, it should not substantially impact the overall character of the street.

1.49 There are still substantial concerns about the quality of accommodation of some units; these are F08, F28, F37, F52 and F61. Section 4.21 of the Design Quality SPD sets out guidance for the quality of accommodation. Residential schemes should provide accommodation of a good size, a good outlook, acceptable shape and layout of rooms and with main habitable rooms receiving daylight and adequate privacy. The outlook and daylight in the main habitable rooms of these flats will be substantially overshadowed with a poor outlook.

1.50 Comments on original plans:

1.51 The proposal comprises of 3 storey retirement accommodation containing 65 units.

1.52 The proposal does not follow the established building line on Marine Gardens. The potential substation also does not follow the established building line on Coquet Avenue. Proposals for infill sites are expected to follow the existing scale, form and building line of surrounding development. The elevation fronting onto Marine Gardens is a long, flat design. Further design detailing should be added to articulate the design and help to reduce the overall mass. It is suggested that the building line is brought back in line with other properties on Marine Gardens and bay windows are added.

1.53 The site is next to St. Edwards Church which is Grade II Listed. Street scenes have been submitted which show that the proposal has an acceptable relationship to the Church and will not have a negative impact on its setting. The elevation onto Coquet Avenue has a hip roof which helps to reduce the mass of this scheme.

1.54 The proposed red brick and slate tiles will sit well in the area. However, there are concerns about the use of grey brick on the development and this should be justified further. Proposed surface materials, refuse storage, boundary treatments and landscaping are acceptable.

1.55 There are concerns about the quality of accommodation of some units on the internal corners of the building. Section 4.21 of the Design Quality SPD sets out guidance for the quality of accommodation. Residential schemes should provide accommodation of a good size, a good outlook, acceptable shape and

layout of rooms and with main habitable rooms receiving daylight and adequate privacy. There is a presumption that residential units provided should be dual aspect. Any single aspect dwellings provided will require a demonstration that adequate lighting and ventilation can be achieved.

1.56 Overall, there are concerns about the proposed design and layout which the applicant is encouraged to address. If amended plans are not submitted, then it is recommended that the application is refused.

1.57 Environmental Health (Pollution)

1.58 Thank you for consulting Pollution with regard to this application for a residential extra care development. I have concerns with regard to noise arising from the Playhouse affecting the proposed residential site. Environmental Health have previously received complaints in 2013 and 2014 and more recently in 2019 regarding noise from the Playhouse affecting neighbouring residential properties during entertainment events when tribute bands were playing.

1.59 I have viewed the noise assessment that has considered daytime noise from the school and from the road traffic noise and night-time noise arising from the Playhouse. The night-time noise monitoring occurred during a music event. The report confirms that music from the event was not audible at the development site, but that the main noise sources included for cars leaving the car park, revellers leaving the venue and crews loading 2 vans. The noise assessment included for a BS4142 assessment of the noise from the loading operations and determined that the noise would not amount to a significant adverse impact.

1.60 However, the noise report has determined that road traffic noise is high and gave levels of between 58 - 65 dB for proposed properties adjacent to Park Road. If residents choose to open windows for habitable rooms facing onto the road and onto Marine Park First School they will be exposed to high noise levels that will result in the internal noise levels being above the recommended levels within BS8233. A form of enhanced glazing will be necessary. A noise scheme as detailed in the noise assessment report will therefore need to be implemented to ensure noise arising from road traffic using Park Road is appropriately mitigated to ensure habitable rooms achieve a good standard internally. This is to ensure an internal equivalent noise level of 30 dB LAeq for bedrooms and 35 dB LAeq in living rooms and no exceedance of the Lmax noise level in bedrooms at night of 45 dB in accordance to BS8233 is achieved.

1.61 It is noted that the apartments will also include for balconies. The noise levels for those located on the eastern elevation will exceed the upper threshold level recommended by the World Health Organisation of 55 db LAeq. It will therefore be necessary for some form of screening to be provided to the balconies at an approximate height of 1.2m to provide partial acoustic screening. Other external areas to the rear of the units will be afforded screening by the building itself. However, if any garden area has a line of sight of Park Road then this will require a minimum 1.8m high acoustic fence or wall to be provided to mitigate road traffic noise.

1.62 Due to the proposed development being within a residential area of Marine Gardens it will be necessary for mitigation to be provided to address cooking

odours from the extra care unit kitchen, the location of extraction flues must be detailed. No information has been submitted on any proposed extraction system and odour abatement to mitigate cooking odours. It will be necessary for this information to be provided. All odour abatement systems installed at the extra care unit should be in accordance to DEFRA report Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust System.

1.63 If planning consent is to be given I would recommend the following conditions:

- Prior to occupation, submit and implement on approval of the local Planning Authority a noise scheme for the acoustic glazing scheme in accordance to noise report LAE1015.1 to address the external road traffic noise, Marine Park First School and The Playhouse. Details of the acoustic glazing to be provided must be in accordance with BS8233 and the World Health Organisation community noise guidelines must be provided to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms and 35 dB LAeq for living rooms is achieved.
- Prior to occupation, submit details of the ventilation scheme for all habitable rooms, for approval in writing and thereafter implemented to ensure an appropriate standard of ventilation, with windows closed, is provided. Where the internal noise levels specified in BS8233 are not achievable, with window open, due to the external noise environment, we expect that an alternative mechanical ventilation, such as mechanical heat recovery (MVHR) system should be provided that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.
- Details of the acoustic screening to be provided to any main external garden of the extra care unit that has line of sight to Park Road and Marine Park First School, to be submitted and implemented on approval of the local planning authority, and thereafter retained, to attenuate against road traffic noise.
- Noise External Plant:
A noise scheme in accordance to BS4142 must be submitted to ensure that the rating level for all plant and equipment installed at the extra care site does not exceed the current background noise for daytime and night-time. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.
- 1.2 m high acoustic screening to be provided to balconies to minimise road traffic noise.
- HOU04 – Construction hours.
- SIT03 – Dust suppression during construction

- Deliveries and collections shall be restricted to between 08:00 and 21:00 hours.
- EPL01 - Extraction/Chimney details. Flue discharges must be one metre above the ridge of the main building
- EPL02 – Ventilation system details.
- EPL03 – Refrigeration plant details.
- EPL04 - Odour suppression scheme, which must be carried out in accordance with DEFRA report Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust System. The applicant shall maintain the odour suppression system as approved in accordance with the details provided by the manufacturer and submitted by the applicant for the purposes of demonstrating compliance with (Standard Condition EPL04).
- LIG01 – External lighting scheme.

1.64 External Consultees

1.65 Tyne and Wear Archaeology Officer

1.66 The development site was formerly the site of Whitley North County Primary School, which is shown on historic Ordnance Survey maps from the early 20th century to the early 21st century. The construction and demolition of the buildings and associated playgrounds is likely to have truncated any earlier deposits and structures. In addition, the Phase 2 Ground Investigation Report indicates that there is modern made ground to a depth of up to 1m across the site. I therefore consider the site to have low archaeological potential, and no archaeological work is required.

1.67 Natural England

1.68 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

1.69 Newcastle Airport

1.70 Given the location of the proposed development, we would request that a crane method statement is produced for any crane or construction equipment that is over 90 metres in height and this should be conditioned upon planning decision.

1.71 Cranes used during operation may be a physical hazard to airlines, as well as potentially impacting on protected navigational surfaces. In order to assess this, we require the ground height of the site and an indication from the developer what the maximum height of the cranes will be.

1.72 We request that a crane method statement is produced for any crane that is over 90 metres in height, and we request that this is conditioned upon planning decision.

1.73 As the crane could present a collision hazard to low flying aircraft, it is essential that any crane above 90m in height is suitably lit and is identified on

airspace maps. The highest point of the crane should also be fit with a 2000 candela steady red obstacle light. The light should be illuminated at all times during low light conditions.

1.74 If a crane or other construction equipment over 90 metres in height is required, it is requested that the jib is only in the raised position during use, the Airport's air traffic control service is informed before use, should be fit with lighting, and work should cease during poor visibility and cloud ceilings. The crane will need to be fitted with red obstacle lights and fitted with red steady obstacle lights. The lights should be located at the highest point on the structure and be lit at all times when the jib is in the raised position. The crane method statement should at least set out the following –

- The exact location of the centre of the crane, as an OS Grid reference (to at least 6 figures for each of eastings and northings), or marked on a map showing the OS Grid each time the crane is raised and should communicated with ATC;
- The maximum operating height in metres Above Ordnance Datum (AOD), or the height of crane Above Ground Level (AGL) plus ground level in AOD;
- The type of crane/equipment;
- The radius of the jib/boom of a fixed crane/the area of operation of a mobile crane;
- The intended dates and times of operation;
- Applicant's name and contact details.
- Proposed obstacle lighting to be installed (Low intensity steady red obstacle lights should be used).

1.75 Please note that the Civil Aviation Authority (the UK's aviation regulator) guidance on crane operations is due to change very soon. The published guidance would outline an updated process for notifying/approving crane operations, which would supersede our process set out above and could require the applicant to submit information to the CAA in the first instance. To also note that the CAA is likely to recommend initial contact at least eight weeks before the erection of the crane.

1.76 Northumbria Water Ltd

1.77 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Proposed Drainage Layout". In this document it states that foul and surface water flows will discharge to the combined sewer slightly upstream of manhole 3501, with surface water being restricted to 2.3l/sec.

1.78 It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

1.79 Northumbria Police Architectural Liaison Officer

1.80 I have no objections to it from a crime prevention point of view. However I have noticed that the document dealing with security measures appears to be out of date. The specifications quoted no longer apply and I would recommend that the applicant and client review it and amend it to get it up to date. To help Doors and windows should aim to meet PAS 24: 2016 and glazing should aim to meet BS EN 356: 2000 with a test rating of P1A.

1.81 These specifications are listed in the police approved security scheme Secured by Design (SBD) and further details can be found at www.securedbydesign.com and following the links to design guides and then following the advice in SBD Homes 2019.

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Item No: 2
Application No: 20/00445/FUL
Date valid: 7 April 2020
Target decision date: 2 June 2020

Author: Julia Dawson
☎: 0191 643 6314
Ward: Whitley Bay

Application type: full planning application

Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear,

Proposal: 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping

Applicant: Places For People, Brady Saville House Savile Street Sheffield S4 7UD

Agent: IDPartnership Northern, Mr Simon Baker St Jude's Barker Street Shieldfield Newcastle Upon Tyne NE2 1AS

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

- 1.1 The main issues for Members to consider are:
- Principle of the proposed development;
 - North Tyneside 5-year housing land supply;
 - Impact on amenity;
 - Impact on the highway; and
 - Impact on biodiversity.

2.0 Description of the Site

2.1 The site to which the application relates is the south western part of allocated housing site 48 as designated in the North Tyneside Local Plan 2017. It measures approximately 0.17 hectares in area and comprises an area of grassland. It was part of the site of the former Coquet Park and Marine Park First School, but all the buildings have been demolished and the site has been cleared. There are no longer any remnants of the previous use. It is enclosed by approximately 0.6m high post and rail fence. There is a slight slope across the site. The site slopes downwards from the south west to the north east. The site is also within Whitley Bay Town Centre.

2.2 To the north of the site is free surface level car park. Further to the north east on the opposite side of Park Road is Marine Park Primary School. To the south of the site is St Edwards Roman Catholic Church, which is a tall Grade II listed

building with an elevated central round tower section which sits higher than the main roof. Immediately to the west of the site along Coquet Avenue is a one and a half storey flat roofed hall, which is in a poor condition. Beyond this further to the west are the semi-detached dwellings of Coquet Avenue. These semi-detached dwellings are two storey in height and are characterised by red brick and slate tiles.

2.3 Immediately to the west of the site adjacent to Marine Gardens there is a narrow access road, beyond which are two-storey semi-detached properties which also follow a well-defined building line. The site is not within a Special Landscape Area, or within or adjacent to a Conservation Area. The site is not Green Belt.

3.0 Description of the Proposed Development

3.1 The proposal relates to the construction of 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping.

4.0 Relevant Planning History

03/03423/DEMGDO – Demolition of Coquet and Marine Park first schools – determination of whether prior approval will be required to the method of demolition and any proposed restoration of the site.

Not development 20.01.04.

05/00867/OUT – Outline planning permission for former Marine Park/Coquet Avenue Park School site (75 apartments and 12 houses).

Withdrawn 18.05.05

06/03648/OUT – Development of 94 dwellings comprising of 16 town houses and 78 apartments with 94 car parking spaces on site of former Marine Park and Coquet Park schools – siting and access only.

Permitted 05.03.07.

07/03702/REM – Submission of reserve matters for development of 78 apartments and 16 houses including details of appearance, scale, parking, refuse storage and landscaping pursuant to outline planning permission reference

06/03648/OUT

Approved 30.01.08

17/00817/FUL - Residential development of 65 units consisting of 16no houses (3 and 4 bedroom), 46no apartments (1 and 2 bedroom), 3no Flats over garages (2 bedroom) with associated parking and landscaping – Refused 03.08.2018

20/00665/FUL - Erection of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking – Pending Decision alongside current application (also to be determined at planning committee on 04.08.20)

Mission Hall – Coquet Avenue

16/00995/FUL – Change of use and alterations to former church hall to form a swimming pool and cafe. Provide mild steel gates and railings to existing front and side boundaries.

Permitted 02.08.16

19/00382/FUL - Variation of condition 1 (approved plans) of planning approval 16/00995/FUL - raise parapet wall on roof to allow extra height to add first floor. Change existing stone copings to aluminium copings. Change windows, extend boundary wall to the rear. Addition of roller shutter to new rear double doors. If brickwork is damage/worn cover with brick slips to match original. Light opaque glazing to windows for privacy – Approved 09.05.19

19/01213/FUL - Change of use from a former church hall to a ground floor swimming pool, first floor cafe and storeroom. External alterations to include raising of parapet wall on roof to allow extra height to add first floor. Change existing stone copings to aluminium copings. Change windows, extend boundary wall to the rear. Addition of roller shutter to new rear double doors. If brickwork is damage/worn cover with brick slips to match original. Light opaque glazing to windows for privacy - Approved 27.11.19

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues for Members to consider in this case are;

- Whether the principle of 9no. residential dwellings is acceptable on this site;
- The impact of the proposal upon the character and appearance of the site and the surrounding area;
- Impact on the living conditions of surrounding occupiers and whether the proposal would provide an acceptable residential living environment for future occupiers, and;
- Whether sufficient parking and access would be provided.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in an appendix to this report.

8.0 Principle of the Proposed Development

8.1 The NPPF sets out the core planning principles which should underpin decisions and that planning should amongst other matters proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

8.2 Policy S1.4 'General Development Principles' states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development.

8.3 Policy S3.2 'Hierarchy of Centre's defines the area where the application site is located as within the 'town centre' of Whitley Bay.

8.4 Policy S3.1 Competitive Centres states that within the Borough's defined centres the Council will seek ways to support their growth and regeneration, and support proposals for main town centre development, appropriate residential and mixed-use schemes that would:

- a. Contribute to the protection and enhancement of the vitality and viability of the centre.
- b. Capitalise upon the character and distinctiveness of the centre, while sustaining and enhancing its heritage assets.
- c. Support the improvement in the range and quality of shops, services and facilities.
- d. Boost the growth of small and medium sized businesses that can provide unique and niche services.
- e. Encourage the growth of the evening economy with leisure, culture and arts activities.
- f. Enhance accessibility by all modes including public transport, walking, cycling and by car.
- g. Introduce measures that reduce crime and the fear of crime and any other disorder issues

8.5 Policy AS8.15 'The Coastal Sub Area' states that within the Coastal Priority Investment and Regeneration Area new development should create a vibrant Whitley Bay town centre with an appropriate mix of shopping and other town centre uses to support local businesses.

8.6 Policy DM1.3 states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area.

8.7 Policy S4.1 states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific and deliverable housing sites. This site is allocated for housing according to policy S4.3(48) of the Local Plan. This identifies the site as being brownfield or previously developed land. This is defined in NPPF as land which is or was occupied by a permanent structure, but excludes land that was previously developed, but where the remains of the permanent structure or fixed structures have blended into the landscape in the process of time. The application site is currently grassland and there is no physical indication that it was previously developed. Therefore, it is considered that the site is not previously developed and is a Greenfield site. However, it is

important to note that whilst NPPF seeks to encourage the effective use of land by re-using land that has been previously developed this is not a pre-requisite.

8.8 DM4.7 'Affordable Housing' states that Proposals for the delivery of affordable housing schemes (such as those submitted by the Council and Registered Providers) that make a contribution towards North Tyneside's overall assessed needs for affordable housing will be supported.

8.9 The site is allocated for housing and this is a proposal for 9no. affordable housing units. This is a housing application on an allocated housing site and therefore it is considered that the principle is acceptable in accordance with policies S4.3(48) and DM4.7.

8.10 Members need to consider whether the principle of residential development on this site is acceptable and whether it would accord with the advice in NPPF and policies DM1.3, S4.1, S4.3(48) and DM4.7 and weight this in their decision. It is officer advice that it would.

9.0 North Tyneside Council Housing Land Supply

9.1 Paragraph 73 of National Planning Policy Framework (NPPF) requires local planning authorities to identify and maintain a rolling five-year supply of deliverable housing land. This includes an additional buffer of at least 5%, in order to ensure choice and competition in the market for housing land.

9.2 The most up to date assessment of housing land supply informed by the March 2019 five-year Housing Land Supply Summary identifies the total potential five-year housing land supply in the borough at 5,396 new homes (a total which includes delivery from sites yet to gain planning permission). This represents a surplus against the Local Plan requirement (or a 6.1-year supply of housing land). It is important to note that this assessment of five-year land supply includes just over 2,000 homes at proposed housing allocations within the Local Plan (2017).

9.2 Housing site 48 is allocated for up to 41 residential units according to the Local Plan. The current proposal seeks to provide 9no. new affordable residential dwellings. This should also be considered in the context of the proposed 65 residential units to be provided as part of the extra care accommodation on the adjoining parcel of land, also included within the housing site. The Local Plan figure of 41 is a potential figure derived from a desk-based assessment taking into account site constraints and then applying a density. It was not derived following detailed design work, which took into account the full nature of the development now proposed, such work which has been undertaken as part of this application and application 20/00165/FUL.

9.3 Although the Council can demonstrate a five-year supply of deliverable housing sites, this figure is a minimum rather than a maximum. Further planning permissions that add to the supply of housing can be granted which add to the choice and range of housing. Members need to weight this in their decision.

10.0 Character and appearance

10.1 NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

10.2 Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (para. 130, NPPF).

10.3 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis of the characteristics of the site, its wider context and the surrounding area.

10.4 The Council has produced an SPD on Design Quality (May 2018), which seeks to encourage innovative design and layout and that contemporary and bespoke architecture is encouraged. The chosen design approach should respect and enhance the quality and character of the area and contribute towards creating local distinctiveness.

10.5 The proposal comprises 9no. two bedroom four person two storey dwellings arranged in two terraces. Each terrace (one on to Coquet Avenue, one onto Marine Gardens), respects and follows the existing street building lines respectively. A parking court is proposed to the rear with a single point of access from Marine Gardens.

10.6 The applicant has submitted a detailed Design and Access Statement in which the design principles of the proposed scheme are set out, including looking at the previous scheme for the entire site which was refused planning permission and addressing the reasons for this. With regard to the current application, the Council's Design Officer is generally supportive of the proposed development raising a few small issues and requesting justification for the introduction of two terraces, rather than semi-detached dwellings which are the predominant form of dwellings on Coquet Avenue and Marine Gardens.

10.7 In response, the applicant has submitted revised plans and further clarity on the proposals. The applicant has advised that the Council's Housing Strategy Team have confirmed their preference for Places for People to deliver 9no 2 bed houses and that Places for People are in the process of formalising this with the appropriate documentation. The use of the terrace is common locally and a character of the urban context, with the majority of surrounding streets made up entirely of terraces. In addition, the mix of terraces and semi-detached properties is also common. For example, Marine Gardens itself has a mixture of terraces and semi-detached units. There is also already an existing terrace arrangement on the western end of Coquet Avenue. In addition, splitting the units into semi-

detached units may also have a negative impact on parking numbers as the density of built area would be reduced.

10.8 In conclusion, it is considered that the proposed development responds well to the site layout and integrates well with the surrounding buildings in accordance with advice in the NPPF and policy DM6.1 and the Design Quality SPD. Members need to consider whether they agree.

11.0 Impact upon Heritage Assets

11.1 Paragraph 192 of the NPPF states that in determining planning applications local planning authorities should take account of; (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and; (c) the desirability of new development making a positive contribution to local character and distinctiveness.

11.2 Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be.

11.3 Paragraph 194 states that where a proposed development would result in any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

11.4 Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

11.5 Policy S6.5 seeks to pro-actively preserve, promote and enhance its heritage assets by amongst other matters respecting the significance of assets.

11.6 Policy DM6.6 states that proposal that affect heritage assets or their settings, will be permitted where they sustain, conserve and where appropriate enhance the significance, character and setting of heritage assets in an appropriate manner.

11.7 Policy AS8.15 seeks to integrate growth and development at the Coast with the protection and enhancement of the built and natural environment, in particular the heritage assets at Whitley Bay.

11.8 The site is within close proximity to three listed buildings. St Edwards Church which is Grade II listed and located immediately to the south of the application site. Further to the north at the junction between Park Road and Marine Avenue, there is a sewer gas lamp and further way the north-west is

Spanish City, which consists of The Dome and former Empress Ballroom which is now use as a Bingo Hall. The Spanish City is Grade II listed also.

11.9 The Design Officer has also acknowledged the location of the site within the setting of St. Edwards Church and has raised no objection to this. Due to the relatively small scale of the proposed development it is not considered that it will result in any negative impact on the setting of the Church.

11.10 Again, due to the relatively small scale of the proposed development and the distance to the sewer gas lamp and Spanish City, it is not considered that it will adversely affect the setting of either of these listed structures.

11.11 Members need to determine whether the proposal would adversely affect the character or setting of listed buildings. Officer advice is that the proposed development is in accordance with advice in NPPF and policies S6.5, DM6.6 and AS8.15.

12.0 Impact upon neighbours

12.1 The NPPF states that there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles. The environmental role contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.

12.2 Policy S1.4 'General Development Principles' states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

12.3 Policy DM6.1 'Design of Development' states that proposals are expected to demonstrate a good standard of amenity for existing and future residents and users of buildings and spaces.

12.4 Policy DM5.19 'Pollution' states that development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity.

12.5 Policy DM7.9 'New Development and Waste' states that all developments are expected to:

- a. Provide sustainable waste management during construction and use.
- b. Ensure a suitable location for the storage and collection of waste.
- c. Consider the use of innovative communal waste facilities where practicable.

12.6 Concerns have been raised by local residents with regard to disturbance during the construction phase. However, such disturbance will be temporary and the impact can be reduced through a condition to limit the hours during which building work can take place, and a construction management plan with regard to construction vehicles and their routes and storage of materials.

12.7 The neighbours most likely to be directly affected by the proposals are the occupiers of the neighbouring dwellings on Marine Gardens and Coquet Avenue. However, the proposed dwellings will occupy the same front and rear building lines of the dwellings to the south west and will have no impact on the existing standard of outlook, daylight and privacy currently enjoyed via the main habitable windows in these dwellings and the enjoyment of their rear gardens. No.2 Coquet Avenue will be largely screened by the existing hall. In addition, given that they will occupy the same building lines, they will be no closer to the facing front elevations of properties opposite to the north west on Marine Gardens and to the south east on Coquet Avenue. The separation distance will be the same as between the existing facing dwellings on these roads and this is acceptable.

12.8 For the occupiers of St Edwards Church it is also considered that the proposal would not adversely affect the privacy or amenity of the users of this building. The proposal will be just two storeys in height and will be not be located directly opposite the Church.

12.18 Members must determine whether the proposed development is acceptable in terms of its impact on amenity of surrounding occupiers. Officer advice is that the proposed development is acceptable in this regard.

13.0 Whether the proposed housing would provide an acceptable standard of residential accommodation for future occupiers

13.1 Paragraph 180 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

13.2 Policy DM5.19 states that development that may be sensitive such as housing to potentially polluting sources, will not be sited in proximity to such sources.

13.3 The Manager of Environmental Health has been consulted and has raised no objection to the proposed dwellings. She has recommended conditions in order to control construction hours and dust suppression measures.

13.4 Policy DM4.9 'Housing Standards' states that all new homes, both market and affordable, will meet the Government's Nationally Described Space Standard (NDSS). From the information submitted, accessibility and overall floor spaces comply with the new housing standards. It is considered that the proposed dwellings will provide an acceptable standard of internal and external habitable space, with sufficient in-curtilage refuse storage facilities for each dwelling.

13.5 Members need to consider whether the proposed development will be acceptable in terms of the standard of residential amenity provided to future occupants. Members will also need to consider the impact on the occupants of existing properties surrounding the site. It is Officer advice that the proposed development would not significantly impact on the amenity of existing occupants or the amenity of future residents, subject to the suggested conditions.

14.0 Car Parking and Access

14.0 NPPF recognises that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives.

14.1 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.3 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

14.4 The Transport and Highways SPD sets out the Council's adopted parking standards.

14.5 For C3 (dwellinghouses) developments the Transport and Highways SPD requires the provision of 1no. parking space per two-bedroom dwelling.

14.6 The proposed parking court will contain 9no. parking spaces and 3no. visitor spaces.

14.7 Objections have been submitted by local resident with regard to the highway impact of the proposed development. These concerns are noted. However, the Highway Network Manager has recommended condition approval of the application, noting the level of onsite parking provision and the new access from Marine Gardens. He has advised that the site has good links with public transport and there are parking controls in place in the vicinity of the site.

14.8 The site is also within a sustainable location being within the Whitley Bay town centre and therefore is close to public transport and local amenities.

14.10 Adequate facilities will be provided within the site for the storage and collection of waste.

14.11 Members need to consider whether the proposal would provide sufficient parking and access and weight this in their decision. It is officer advice that subject to conditions it would, in accordance with the advice in NPPF, Policy DM7.4 and LDD12.

15.0 Biodiversity and Landscaping

15.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

15.2 Paragraph 175 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

15.3 Policy DM5.5 of the Local Plan states that all development proposals should amongst other matters protect biodiversity and minimise the fragmentation of habitats and wildlife links.

15.4 Policy DM5.9 supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

15.5 The applicant has submitted an Ecological Report, a Habitats Regulation Assessment and a 'Landscape General Arrangement' plan to show landscape planting proposals. The Council's Biodiversity and Landscape Officers have each commented on the proposals, with both requesting the attachment of a condition to require a detailed landscape scheme.

15.6 In addition, the Biodiversity Officer has noted that the site is dominated by an area of poor semi-improved amenity grassland and is therefore of low ecological interest with no other landscape features within the site and she has raised no objections, subject to the attachment of conditions in relation to a Construction Environmental Management Plan, , house martin nest boxes, bird nesting boxes, and bat boxes.

15.7 The application site is within 6km of the Northumbria Coast Special Protection Area and Ramsar Site, the Northumberland Shore Site of Special Scientific Interest (SSSI) and Tynemouth to Seaton Sluice SSSI. The Council's Coastal Mitigation Supplementary Planning Document requires that a financial contribution be paid per new dwelling in the Borough in order to mitigate for the potential of the proposed development to impact coastal designated sites (SPA and SSSI) as the result of an increase in recreational activity at the coast, particularly in relation to cumulative impacts with other residential schemes at the coast and the wider area. For new dwellings within the 6km buffer zone of the SPA (as per the application site) this is J337 per dwelling.

15.8 The applicant has agreed to enter into a legal agreement with the Council to provide mitigation for the additional recreational impact on the SPA and SSSI, in accordance with the requirements of the Coastal Mitigation SPD, and therefore it is not considered that the proposed development will result in harm to the ecology or the designated sites and it does not conflict with policies S5.4, DM5.5, and DM5.6 and is acceptable in this regard. The Council's Biodiversity Officer is supportive of this.

15.9 It is officer advice that subject to conditions that the proposal would avoid having an adverse impact in terms of landscaping and ecology, and therefore would accord with the advice in NPPF, Policy DM5.5 and policy DM5.6 of the Local Plan.

16.0 Other Issues

16.1 Contamination & Land Stability

16.2 NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

16.3 Policy DM5.18 states that where a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment proposals must be accompanied by a report which amongst other matters sets out measures to allow the development to go ahead safely without adversely affect, which will be secured via a condition of any planning permission.

16.4 The applicant has submitted a Phase 1 Desk Top Study and Coal Mining Risk Assessment Report. The site is located within a Coal Mining Referral Area, meaning there is a requirement to consult with The Coal Authority and also within a Contaminated Land Buffer Zone. The Council's Contaminated Land Officer does not object subject to conditions. The Coal Authority does not object to the proposed development and states that no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

16.5 Members need to consider whether the site could be development safely without adverse effect in accordance with policy DM5.18. It is officer advice that it could.

17.0 Flooding

17.1 The National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.

17.2 Policy DM5.12 states that all major development will be required to demonstrate that flood risk does not increase as a result of the development proposed and that options have been taken to reduce the overall flood risk for all sources. Taking into account the impact of climate change over its lifetime.

17.3 Policy DM5.14 seeks a reduction in surface water run off rates will be sought for all new development.

17.4 The applicant has submitted a Flood Risk and Drainage Statement. This states that the proposed development is within Flood Zone 1, which is at low risk of flooding.

17.5 Northumbrian Water have confirmed they have no issues to raise with the proposed development, subject to a condition to ensure a restricted surface water flow of 5l/s to MH2401.

17.6 The Council's Local Lead Flood Authority has confirmed that he has no objections to the proposed development, subject to conditions.

17.7 Members need to consider whether the proposal would accord with the advice in NPPF and policies S5.11, DM5.12, DM5.14 and DM5.15 and weight this in their decision. It is officer advice that it would.

18.0 Local Financial Considerations

18.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance considerations as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments). It is considered that the proposal would result in benefits in terms of jobs during the construction.

18.2 The proposal would create 9no.new dwellings. Granting planning permission for new dwellings increases the amount of New Homes Bonus, which the Council will potentially receive. The New Homes Bonus is a government grant for each home built equivalent in value to the average Band D Council Tax charge in England in the preceding year. New Homes Bonus is paid to the Authority each year for new homes completed for a period of four years from the completion of each new home. An additional sum is paid for each empty home brought back in to use and for each affordable home delivered.

18.3 The proposal would also result in additional Council Tax being received by the council, and this is a benefit of the proposal. In addition, jobs would be created during the construction period.

18.4 Members should give appropriate weight to amongst all other material considerations to the benefit of the Council as a result of the monies received from central Government.

19.0 Conclusions

19.1 Members should consider carefully the issues before them and take in account national policy within NPPF and the weight to be accorded to this as well as current local planning policy.

19.2 At the heart of the NPPF is a presumption in favour of sustainable development, which for decision making means approving development proposals that are in accordance with an up-to date development plan without delay.

19.3 The application site occupies part of an allocated housing site, lies within an existing built up area in the designated town centre and in close proximity to existing local services. The proposal would provide 9no. affordable residential dwellings in a sustainable location in accordance with the NPPF and Local Plan, and in officer opinion is acceptable in principle.

19.4 Members also need to consider whether the proposal will impact on residential amenity,

whether the occupants of the proposed dwellings will have a suitable level of residential amenity, whether the development would have an acceptable impact on the character of the area, ecology and the highway network. It is officer advice that the proposed development is acceptable in these terms.

19.5 The application is therefore recommended for approval subject to a legal agreement to secure a contribution towards the Coastal Mitigation Scheme.

RECOMMENDATION: Application Permitted

Members are requested to authorise that the Head of Law and Governance and the Head of Environment, Housing and Leisure to undertake all necessary procedures (Section 278 Agreement) to secure:

Upgrade of existing footpaths abutting the site

Alterations to resident parking scheme on Coquet Avenue

Associated drainage

Associated street lighting

Associated road markings

Associated signage

Associated Traffic Regulation Orders

Members are also recommended to grant plenary powers to the Head of Law and Governance and the Head of Environment, Housing and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;

- Coastal Mitigation contribution.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.

- Application Form 12.03.2020
- Location & Context Plan, 001, P1, Feb '20
- Proposed Site Access General Arrangement, 001, 08.03.20
- Proposed Site Plan (9 units), 011, P3, 17.06.20
- Proposed Streetscenes, 021/P3, 17.06.20
- Housetype 1 - The Holt, 401, P1, Feb '20
- Landscape General Arrangement, POE_141_003, Feb 20
- Proposed Roof & Boundary Treatments Plan, 012, P3, 17.06.20
- Design and Access Statement, January 2020
- Marine Gardens 2019 Ecology Report, P17-418 Ecology report 2020

(BSG Ecology)

- Flood Risk and Drainage Statement, 19113/FRA.1, March 2020
- Report to Inform a Habitat Regulations Assessment, P17-418 HRA report,

3 March 2020

- Phase 1: Desk Top Study and Coal Mining Risk Assessment Report,
Project No: 19-758, 05.03.2020
- Noise Assessment, Ref.LAE1027, 26.02.2020
- Transport Statement (transport planning)
Reason: To ensure that the development as carried out does not vary from
the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. New Access Access Before Devel ACC01 *
0

4. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

5. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. Prior to occupation of the development details of facilities to be provided for the storage of refuse at the premises must be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017).

7. Prior to occupation of the development a refuse collection management scheme must be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme, which must also identify a suitable storage area for collection day, shall be implemented in accordance with the approved details and retained thereafter.

Reason: In order to safeguard the amenities of the area having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017).

9. Prior to occupation of the development a parking management scheme must be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety; having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

10. The development hereby approved shall not be commenced until full drainage design details of surface water attenuation from the highway, footpaths and other hard surfaces have been approved in writing by the Local Planning Authority. Such details must also include confirmation of the proposed surface water discharge rate for the development, a copy of the micro-drainage report detailing the proposed discharge rate for the development and the volumes of surface water attenuation required to attenuate a 1in100yr +40%cc rainfall event, and details of the maintenance regime for the surface water drainage system. Thereafter, the development must be carried out in accordance with the agreed details prior to first occupation of any residential unit.

Reason: These details are required in advance of development as the drainage is likely to be provided early in the construction process. This will ensure that the drainage details can be agreed and provided in advance of the works commencing so that when works start they can be incorporated into the development as it proceeds having regard to policy DM5.12 of the North Tyneside Local Plan 2017.

11. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1" dated "March 2020". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2401 and ensure that surface water discharges to the combined sewer at manhole 2401. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

12. Contaminated Land Investigation Housing CON00 *
1

13. Gas Investigate no Development GAS00 *
6

14. Prior to occupation of the development a fully detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species, which should be beneficial for biodiversity. Trees and hedgerows to be native species and trees to 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 occupation of the buildings or the completion of the development, whichever is the sooner. Any

trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species. All hard and soft landscape works shall be carried out in accordance with the relevant recommendations of British Standard 8545:2014. The landscape scheme shall include a maintenance schedule for a minimum period of five years including details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule.

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

15. No vegetation removal shall take place 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.

16. Prior to the occupation of development 4no. bird nesting boxes (hole nesting and open fronted boxes) must be provided in suitable locations within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in accordance with the approved details.

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.

17. Prior to the occupation of development 2no. house martin nest boxes must be provided in suitable locations within the development site. Details of the box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in accordance with the approved details.

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.

18. Prior to the occupation of development 2no. bat boxes must be provided in suitable locations within the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the boxes must be installed in accordance with the approved details.

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.

19. Prior to commencement of the approved development a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works must be carried out in complete accordance with the approved details.

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.

20. Prior to occupation of the development the following details and a timescale for their implementation must be submitted to and approved in writing by the Local Planning Authority:

- Upgrade of existing footpaths abutting the site
- Alterations to resident parking scheme on Coquet Avenue
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated signage
- Associated Traffic Regulation Orders

Thereafter, these agreed works shall be carried out in accordance with the agreed timescales and retained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

- | | | |
|---|-------|---|
| 21. Restrict Hours No Construction Sun BH | HOU00 | * |
| | 4 | |
| 22. Dust suppression during construction | SIT03 | * |

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Contact ERH Erect Scaffolding on Rd (I12)

Coal Mining Standing Advice (FUL,OUT) (I44)

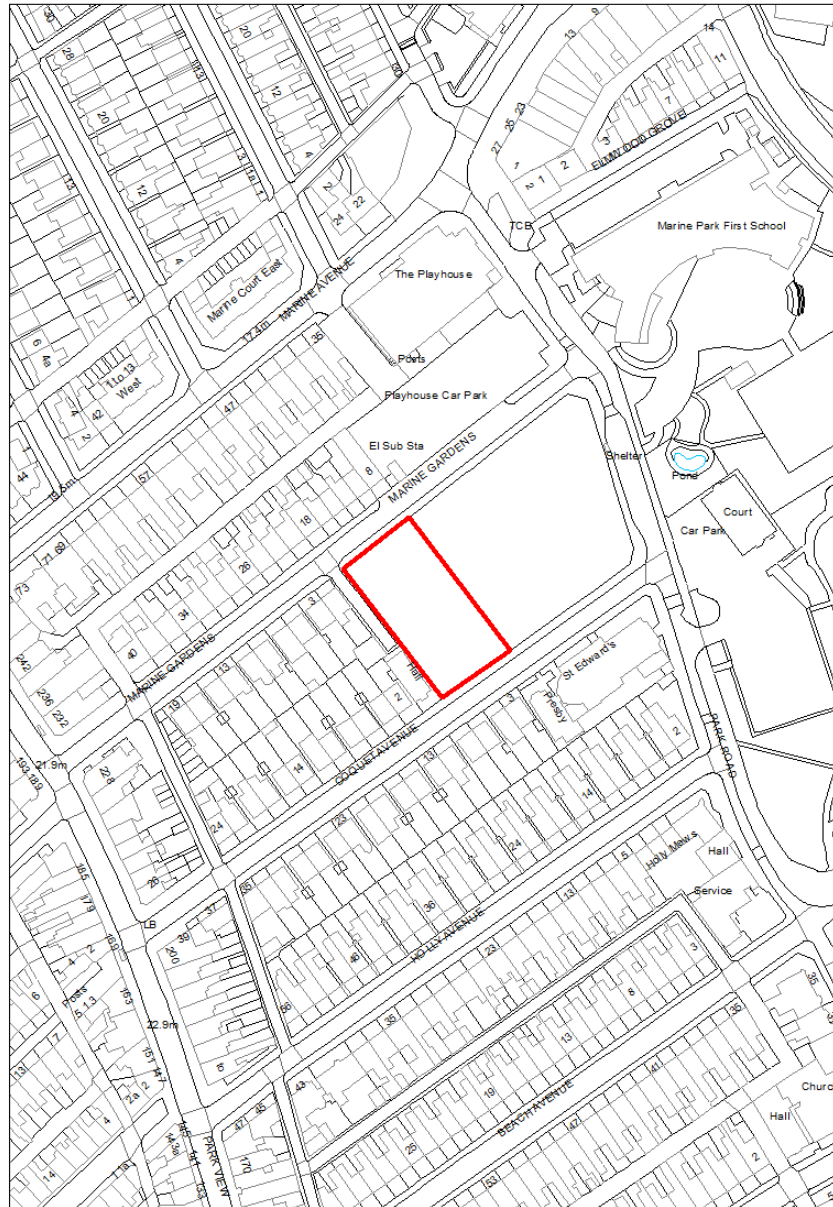
Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure

The applicant is advised that future residents may not be entitled to a parking permit under the council's residential permit scheme. For further information contact the Parking Control Team: parkingcontrol@northtyneside.gov.uk (0191) 643 2121

The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling and garden waste collection vehicles against any claims for damages to the internal road and parking layout.



Application reference: 20/00445/FUL

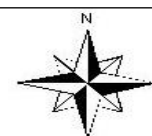
Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear

Proposal: 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping

Not to scale

Date: 23.07.2020

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Consultations/representations

1.0 Representations

1.1 Four representations from three addresses have been received; these are summarised below:

1.2 Objections:

- Proposed houses are too much/overdevelopment especially given that the proposed retirement apartments will occupy most of the (adjacent) site.
- Loss of on-street parking in an already overcrowded area as a result of new access and associated kerb.
- Marine Gardens residents will be less able to park on the street where they live.
- Streets should be made residents parking only with pay and display machines removed.
- Detrimental effect on pedestrian safety - particularly for pedestrians walking to and from Marine Park First School;
- New vehicular access point is dangerous in terms of both road safety and pedestrian safety.
- Congestion and disturbance during construction will make both Coquet Avenue and Marine Gardens impassable and very difficult to live here.
- Traffic/parking congestion during peak times will be unsustainable as a result of 9 new dwellings.
- There is a lack of demand for small houses in Whitley Bay, recent developments have not sold.

1.3 Support/Comment:

- Planned houses are sympathetic to the existing houses on the street.
- Works should be not begin until after current coronavirus restrictions are lifted because the greenspace is currently used more heavily than ever.

1.4 Internal Consultees

1.5 Biodiversity Officer

1.6 The above scheme is for the construction of 9no. dwellings arranged in two terraces facing Coquet Avenue and Marine Gardens. A parking area is also proposed to the central part of the site with access from Marine Gardens. The site is located to the west of the A193, north of Coquet Avenue and south of Marine Gardens and consists of approximately 0.17ha of grassland with no other landscape features within the site.

1.7 Ecological Survey

1.8 The Site is dominated by an area of poor semi-improved amenity grassland and is therefore of low ecological interest. Nesting opportunities are very limited within the Site with little in the way of shelter and good quality foraging habitat and therefore it is concluded that birds are unlikely to nest within the site but may pass through on occasion. New landscaping within the Site has the potential to provide new roosting and foraging resources for birds.

1.9 Habitat Regulations Assessment

1.10 As the above Site is located within 6 km of the Northumbria Coast Special Protection Area (SPA) / Ramsar site there is a need to consider impacts on these European sites. A report to inform a Habitat Regulations Assessment has been submitted by the applicant (BSG 2020). Residential developments have the potential to result in recreational impacts on the interest features of the European sites and the North Tyneside Coastal Mitigation SPD (Supplementary Planning Document) recommends a financial contribution to fund measures delivered by North Tyneside Council that will mitigate recreational impacts. It is therefore recommended that a financial contribution is agreed with the LPA in accordance with the SPD

1.11 Landscaping

1.12 A Landscape General Arrangement Plan has been submitted which includes boundary hedges, ornamental shrubs and trees. I would recommend that boundary hedgerows are planted with native hedgerow species to provide benefits on site for biodiversity, particularly nesting birds. Native trees should also be incorporated into the scheme and ornamental shrubs should be tolerant of coastal conditions and include species that provide benefits for biodiversity.

1.13 I have no objection to the scheme subject to the following conditions being attached to the application:-

1.14 Conditions

- In order to address the recreational impacts of the scheme on the Northumbria Coast SPA and Ramsar site, an appropriate financial contribution will be required towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD.

- A Construction Environmental Management Plan (CEMP) will be submitted to the Local Authority for approval prior to works commencing on site.

- A detailed landscape scheme must be submitted to the Local Authority for approval within 4 weeks of works commencing on site. Landscaping should include native hedgerows and trees as well as planting that is beneficial for biodiversity.

- No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule

- 2no. house martin nest boxes will be provided on buildings within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 4no. bird nesting boxes (hole nesting and open fronted boxes) will be provided within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority

within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 2no. bat boxes will be provided on buildings within the development scheme. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- No vegetation removal will take place during the bird nesting season (March-August inclusive) unless a survey by a qualified ecologist has confirmed the absence of nesting birds immediately prior to development commencing.

1.15 Design and Layout

1.16 The proposal is for the development of 9 dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue. The site is also within the setting of St. Edwards Church which is Grade II Listed. The immediate context of the site is critical in the design of small-scale residential schemes, particularly where development infills within an existing street scene. Proposals for infill developments must respect their surroundings. Proposals should follow the existing scale, form and building line of surrounding development and should complement the architectural style and character of the area.

1.17 The proposal has a consistent building line with existing houses within the streets although has a significantly lower eaves and ridge height compared to other residential houses surrounding the site. It is acknowledged that there is a small Community Hall on Coquet Avenue next to the site, however new residential development should relate more closely to the scale of existing residential development. For the same reason, the windows should have a stronger vertical emphasis.

1.18 Proposals on infill sites are expected to relate well to the topography of a site and to acknowledge the pattern of existing development. Existing houses gradually step-down Marine Gardens and Coquet Avenue and this proposal should follow this pattern.

1.19 The application proposes hedgerow planting to the front of dwellings. The choice of boundary treatments must be appropriate and reflect any established forms of boundaries, which in this case is a low wall. The front boundary treatments therefore should be revised to low walls. Hedgerow planting could be located behind the walls if desired.

1.20 The predominant form of houses on both Marine Gardens and Coquet Avenue is two storey semi-detached properties. Therefore, justification should be provided for two terraces. Overall, there are design concerns about the application and how the proposal integrates with its surroundings.

1.21 Highway Network Manager

1.22 This is an application for 9 dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with a parking court to the rear and associated landscaping. The site is accessed from Marine gardens and an appropriate level of parking has been provided for the proposed use. The site

also has good links with public transport and there are parking controls in place in the vicinity of the site. Conditional approval is recommended.

1.23 The applicant will be required to enter into an appropriate Legal Agreement with the Local Authority for the following works:

Upgrade of existing footpaths abutting the site

Alterations to resident parking scheme on Coquet Avenue

Associated drainage

Associated street lighting

Associated road markings

Associated signage

Associated Traffic Regulation Orders

1.24 Conditions:

ACC10 - New Access: Access before Devel

ACC20 - Visibility Splay: Detail, Before Devel (*2.4m by 43m by 0.6m)

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT06 - Construction Method Statement (Minor)

No development shall commence until a scheme to manage refuse collection, including identifying a suitable storage area for collection day has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and before the development is occupied.

Reason: In the interests of highway safety.

No part of the development shall be occupied until a car park management strategy for the site has been submitted to and agreed in writing by the Local planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities for the site and in the interests of highway safety.

1.25 Informatives:

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming and Numbering

I46 - Highway Inspection before dvlp

The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure.

The applicant is advised that future residents may not be entitled to a parking permit under the council's residential permit scheme. For further information contact the Parking Control Team: parkingcontrol@northtyneside.gov.uk (0191) 643 2121

The applicant is advised that they should enter into an agreement indemnifying the council's refuse, recycling and garden waste collection vehicles against any claims for damages to the internal road and parking layout.

1.26 Environmental Health (Pollution)

1.27 We would have concerns around noise and dust generated during the construction process and would recommend the following standard conditions: HOU04 and SIT03

1.28 Contaminated Land Officer

1.29 I have read the Phase one report and note it has stated the following:

1.30 Although from the previous investigation works carried out on this site and immediately adjacent to the site, no significant ground contamination issues were recorded, only limited screening was carried out on this portion of the site. It is therefore concluded that additional ground contamination screening will need to be incorporated into the design of any future intrusive investigation works to confirm the risks posed towards Human Health (future end users).

1.31 Hazardous Ground Gases:-

From the ground gas monitoring carried out during the previous ground investigation works, depleted levels of O₂ were recorded which may represent a potential risk if mine gas (stythe gas). As a result, it is recommended that either an additional program of gas monitoring in line with CIRIA C665 is undertaken or gas protection measures installed within the proposed development.

1.32 Based on these recommendations and the proposed sensitive end use the following must be applied: Con 001 (Contaminated Land Investigation) and Gas 006 (site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground)

1.33 Landscape Architect

1.34 This proposed development involves the erection of a 9no two storey dwellings arranged in two terraces facing Coquet Avenue and Marine Gardens. A parking court is proposed to the rear with a single point of access from Marine Gardens. As part of the proposals, a landscape strategy has been submitted. This includes soft boundary treatments in the form of hedges and trees to match the existing residential streets. Low maintenance turfed private gardens are proposed to the front and rear of the scheme. A small amount of soft landscaping is provided within the parking court. Trees have been provided to the front garden areas along both Coquet Avenue and Marine Gardens which will extend the avenue of trees that currently exists along these streets.

1.35 A 'Landscape General Arrangement' plan has been submitted to show landscape planting proposals. The following conditions should be applied:

- 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 include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth). 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. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. 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 thereafter.

- No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

1.36 Regeneration

1.37 The Regeneration team have no objections to this planning application to bring this site forward for residential use, this is a sustainable location close to good public transport links and will support the longer term functioning of the town centre through greater footfall.

1.38 External Consultees

1.39 The Coal Authority

1.40 The Coal Authority considers that the content and conclusions of the information prepared by Arc Environmental Ltd is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

1.41 Northumbrian Water

1.42 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1 March 2020". This document contains a Pre-Development Enquiry from Northumbrian Water and confirms a restricted surface water flow of 5l/s to MH2401. We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

1.43 CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1" dated "March 2020". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2401 and ensure that surface water discharges to the combined sewer at manhole 2401. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Item No: 3
Application No: 20/00517/FUL
Date valid: 22 May 2020
Target decision date: 21 August 2020
Author: Maxine Ingram
☎: 0191 643 6322
Ward: Camperdown

Application type: full planning application

Location: Burradon Abattoir, Burradon Road, Burradon, NE23 7NB

Proposal: Extensions to the existing facility, including covering the external yard, the demolition of an existing employee/amenity block and construction of welfare/amenity building and new offices, and increased hardstanding for vehicles connected with the use, including truck and car parking, and additional safe manoeuvring space, and a waste water treatment facility (additional information received 19.06.2020)

Applicant: Linden Foods, Mr Tony Curran 14 Castle Street Ardee Ireland

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The principle of the development, including the impact on the green belt;
- The impact on amenity;
- The impact on character and appearance;
- The impact on highway safety;
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The site to which this application relates is an existing abattoir. The site is bound to the west by a road and to the south by a road/bridleway. To the north of the site are fields. Mature planting/trees are sited along the southern boundary, part of the east and west boundary and the north east corner of the site. Palisade and mesh fencing enclose the site. There are existing buildings, including a livestock shed and blood tank, and areas of hardstand within the site.

2.2 The nearest residential properties, Quarry Cottages, are located to the east of the site. The residential estate of Cheviot Grange is located to the south west of the site.

2.3 The site is designated as Green Belt and a wildlife corridor.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for extensions to the existing facility, including covering the external yard, the demolition of an existing employee/amenity block and construction of welfare/amenity building and new offices, and increased hardstanding for vehicles connected with the use, including truck and car parking, and additional safe manoeuvring space, and a waste water treatment facility.

3.2 Members are advised that some of the proposed works to this existing facility, namely the covering of the external by-products yard, workshop to rear and extension to existing chill have already been approved under 19/00696/FUL.

3.3 The applicant has advised that the proposals for the truck and car parking arise from a need to upgrade to improve efficiencies to help create environmental improvements, meet current and future hygiene expectations, improve the health and safety of staff and visitors, and to achieve industry best available techniques in production. Car parking at the site is insufficient and not segregated, and there is no dedicated truck parking at all.

3.4 Background and supporting information provided by the applicant

3.5 Linden Foods has occupied this site since 2008, prior to which it was occupied by Whitley Bay Meat Supply Company following its relocation from Whitley Bay some 30 years ago. Since Linden Foods took control of the site, it has made significant improvements to the infrastructure there, such as a new lairage, fully refurbished abattoir and additional chill capacity.

3.6 Linden Foods is a dual species abattoir, processing beef and lamb. It has an established reputation in recent years as an innovator, creating ground-breaking products for the retail and food service sectors. It is now rated as one of the premium suppliers of primals to the wholesale industry, with three decades of experience, and with a diverse client base across the UK, Ireland and Europe.

3.7 The business is supported by a skilled development and production team. It currently employs 57 full time staff.

3.8 Markets and legal requirements continue to change along with increasing customer expectations. The business must continue to develop and adapt to meet the changing context in which it operates to maintain viability and ensure its continued contribution to the local economy and maintain the secure employment of its workforce.

3.9 In order to do this, Linden Foods needs a new period of significant investment to compete in a global market and enable use of Best Available Techniques (BAT). This requires value, quality, workforce and reputation. Unless the business can adapt in all these areas, it will struggle to remain viable, and would lose customers to other businesses elsewhere in the country and overseas.

3.10 It should be noted that maintaining the highest levels of competitiveness is particularly important in increasingly volatile markets, due to changing practices, Brexit, and more recently health and safety expectations arising from Covid-19.

3.11 In order to address changing demands and to continue to move forward with the market, a phased masterplan for the site was developed. This includes:

- Enclosing the yard (phase 1): The existing external yard is an area to the north of the existing building used for the storage, transfer and removal of animal by-products. Covering such by-product storage areas is the best available technique open to abattoirs to minimise the offsite impact of operations – either in terms of noise or odours.

- Improved offal processing area (phase 1): This would allow for the improved competitiveness of the site by enabling the further processing of materials to an edible standard for export – thereby improving the financial position of the business, but also upgrading the nutritional value of each carcass – maximising the amount of edible products and minimising the waste by-products – getting more from less.

- New staff and food standard agency hygiene and amenity accommodation (phase 2): The site was originally designed for 24 staff, this number is now 57, rising to 67. As a result, space for staff changing and breaks have become too restricted for modern standards. It is imperative that these facilities are improved to enable proper and suitable hygiene standards; and, that the facilities are on site to meet the needs of staff, ensuring staff retention and not provide blockage for future recruitment.

- Full effluent treatment to industry best standards (phase 2). The current waste water treatment facilities consist of basic preliminary treatment facilities, directly outside the main office and employee amenity block. There is an inherent risk due to the open construction (at ground level). It is proposed to cover the existing settlement tank and construct a modern waste water treatment facility to improve the quality of effluent and significantly reduce the risk of odour.

- Phase 2 also includes increased provision for parking for cars and lorries.

3.12 The applicant has advised that the above proposed works are mutually independent. They have advised that significant investment of over £2.2 million is necessary to implement phase 1, even with the approved grant funding, the offer for which expires in August 2021, the business cannot make this investment without the certainty that the entirety of the works proposed can be implemented.

3.13 The reasons that the individual aspects of the proposed works are co-dependent relate intrinsically to meeting customer and staff expectations and BATs in relation to health and safety, environmental impact, product quality, staff welfare and satisfaction.

3.14 The applicant acknowledges that the proposed building works will displace vehicle parking. Accommodating all the parking and vehicular movement needs

of the business within the site compound is essential. The increase in site area will enable the isolation of livestock processing areas from those 'clean' refrigerated meat export areas – this is necessary to help prevent cross contamination. Safe movements of pedestrians and smaller vehicles can then also be achieved, separate from HGV movements.

3.15 The welfare/amenity unit is essential to improve staff welfare and hygiene facilities, particularly in the current climate of social distancing measures.

3.16 Proper effluent treatment is an essential component of any abattoir process and must be carried out in the most appropriate way depending on the circumstances. Upgrade of this process is essential to the continuation of the business at this site and will bring about significant environmental benefits and improve the amenity of the surrounding area.

3.17 Inability to carry out all the proposed works in their entirety would mean the business could not upgrade value in offal and other by-products, in effect increasing the costs of carcass meat produced on-site reducing competitiveness. Demand for the product would diminish, its value would fall, and the price paid to farmers would ultimately decrease. The business would be operating at significantly below optimum levels of efficiencies and product supply.

4.0 Relevant Planning History

81/02011/FUL - Extension of Chill Room and Sales / Dispatch areas - Permitted 10.02.1982

82/02362/FUL - Barometric loop to blood vacuum plant – Permitted 24.02.1983

83/01917/FUL - Extension to amenities block – Permitted 18.10.1983

86/01000/FUL - Three bay extension to abattoir within existing site – Permitted 22.07.1986

09/01253/FUL - Single storey extension to rear and single storey link corridor to front of building – Permitted 13.07.2009

09/02584/FUL - Erection of 2400mm palisade security fencing to parts of the site boundary and elsewhere within the site. Erection of 2400mm high automated palisade gates to replace existing gates at site entrance (Additional Plans 27.10.2009) – Refused 02.12.2009

12/00112/FUL - Partial demolition of existing buildings and replace with proposed extension to provide new chills and out loading bays. Extension to existing refrigeration plant room. Extension to existing services rooms and construction of new livestock intake shed – Permitted 16.05.2012

12/01062/FUL - Partial demolition of existing buildings and replacing with new refrigerated out loading bays, holding area and dry goods store, construction of new refrigeration plant room, extension to existing chills and slaughter hall at rear of factory, extension to existing services rooms at front of factory, construction of

new livestock intake shed and covered walkway to existing lairage – Permitted
19.09.2012

15/01748/FUL - Variation of condition 17 of planning approval 12/01062/FUL - to allow livestock to be kept overnight for a temporary period - 27.01.2016

16/01685/FUL - Removal of condition 17 of planning approval 12/01062/FUL - to allow livestock to be kept overnight (on a permanent basis) – Permitted
17.02.2017

19/00696/FUL - Construction of covered by-products area, carcass chill and maintenance workshop – Permitted 16.07.2019

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policies

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

7.1 The main issues for Members to consider in this case are:

- The principle of the development, including the impact on the green belt;
- The impact on amenity;
- The impact on character and appearance;
- The impact on highway safety;
- Other issues.

7.2 Consultations responses and representations received as a result of the publicity given to this application are set out in the appendix to this report.

8.0 Principle of the development

8.1 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the LP predate the publication of the revised NPPF however, it is clear from paragraph 213 of the NPPF that: “However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to

their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The council considers that, as the plan is very recent, the local plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.2 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

8.3 The NPPF paragraph 11 makes it clear that plans and decisions should apply a presumption in favour of sustainable development. However, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The NPPF paragraph 12 states “Where a planning application conflicts with an up-to-date development plan permission should not normally be granted. Local Planning Authorities (LPA’s) may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

8.4 The NPPF paragraph 80 states “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both business needs and wider opportunities for development”.

8.5 The NPPF paragraph 143 states “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

8.6 The NPPF paragraph 144 states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

8.7 The NPPF paragraph 145 states “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:...c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces....”

8.8 LP Policy DM6.1 ‘Positive uses within the Green Belt’ states “Proposals that are not inappropriate to the Green Belt, particularly those offering increased or enhanced access to the open countryside and that provide opportunities for beneficial use as a biodiversity resource, will be supported where they preserve

the openness of the Green Belt and will not harm the objectives of the designation.

8.9 The Council will not permit additional development where it considers that the cumulative impact of these would be detrimental to the objectives of the Green Belt”.

8.10 The existing abattoir is located within the Green Belt. The existing buildings on this site are sited adjacent to its southern boundary and the existing lairage is located to the north east corner of the main building. Currently the by-products of the abattoir are processed in a small area with some loading and storage occurring externally.

8.11 This application seeks to extend this established facility and reprofile and extend the existing car parking arrangements and waste water treatment facility into a field located to the north of the existing car park. Members are advised that planning permission was granted in 2019 for some further extensions to the building. These previously approved extensions form part of the current application. The proposed covered by-products area would create an internal area for storing and dispatching by-products. It is also proposed to construct a by-products processing and storage area adjacent to the previously approved by-products area. This will enable a section of by-products processing (currently being processed within an existing chill) to be a fully dedicated by-products area. This is in line with current industry practice. It is also proposed to internalise the blood tank and plant. The building will also be extended to the south to accommodate a workshop and to the west to accommodate/expand additional chill areas.

8.12 The existing employee amenity area will be demolished. A new amenity and office will be constructed in this area. Staff changing rooms and facilities will be accommodated at ground floor. Offices and a boardroom will be accommodated at first floor.

8.13 It is proposed to cover the existing settlement tank and pump waste water to a dedicated, modern treatment facility consisting of an inlet screen, a dissolved air floatation (DAF) system, enclosed sludge storage and an effluent press, prior to the discharge to the municipal sewerage system. The proposed waste water transfer unit would have a maximum height of approximately 6.43m.

8.14 The proposed car park and new waste water treatment facility would be sited in the northern field. The applicant has submitted landscaping details to demonstrate how the visual impact of this part of the proposal could be reduced.

8.15 The policies detailed above (paragraphs 8.5 to 8.9) outline the considerations that should be given to proposals affecting the green belt.

8.16 NPPF establishes that extensions are not inappropriate development in the green belt unless cumulative change leads to disproportionate increase in the scale of buildings. It is noted that the Planning Policy comments have queried the floor area of the overall cumulative additions to the original building. The planning history advises that the original building was constructed in the 1970's with some

additions added in the 1980's. The earliest record of the overall footprint of the building that the Local Planning Authority (LPA) has access to is the information accompanying a planning application in 2009 and an aerial photograph from 2008. The applicant has advised that the floor area of the building in 2008 was 1,672sqm. The total floor area, should planning permission be granted, would be 3,962sqm. It is clear from the Planning Policy comments that this increase cannot be considered proportionate to the original footprint. Except for the lairage, all the extensions to the original building have been contained within the most southern part of the site. The proposed extensions would be contained within this area and utilise an area of hardstand. They would not extend beyond the most northern point of the existing lairage. Albeit, the footprint has significantly increased since 2008, these alterations would enable this existing business within the green belt to improve its current operations for both its product and staff. Having regard to the existing positioning of the building on-site and the existing vegetation to the south, east and north-east corner of the site, it is not considered that the increase in footprint or the increase in height (approximately 1.3m), would significantly on the openness of this part of the green belt.

8.17 The applicant has provided information on what they consider to be very special circumstances to comply with the requirements of paragraph 144 of the NPPF. Albeit, the applicant did not identify the extensions as inappropriate development, information has been provided on what they consider to be very special circumstances. It is the view of Planning Policy that this evidence is of equal relevance to the proposed extensions.

8.18 The applicant considers the proposed car parking and hardstanding to be inappropriate development in the green belt. This assumption is correct. In their view, the impact on openness is moderate. They have advised that this element of the proposed works is intrinsically linked to the wider improvements and buildings works and they cannot be implemented without it.

8.19 The applicants consider that the impact on the openness and encroachment into the field to accommodate the proposed parking arrangement is mitigated both by the fact that the development does not constitute a permanent building within the extended area, only vehicle parking, and by existing and proposed landscaping. Officers note that the proposed waste water treatment facility would result in a permanent structure within the south east corner of this field.

8.20 The Planning Policy comments are noted. They consider that the challenges currently being faced in circulating safely and efficiently on the site is a result of the previous and proposed extensions to the building. They consider that the cumulative extensions are disproportionate to the existing buildings and original capacity of the site. However, at the time of assessing the previous applications, the applicant was able to demonstrate that the site could still operate to meet its needs at that time which did not result in any development that was considered to significantly impact on the openness of this part of the green belt.

8.21 The applicant considers the very special circumstances relating to the proposed development as follows:

- Need for a countryside location;
- Economic – adapting to changing market, business needs, future proofing;

- Environmental protection and sustainability; and
- Protection of neighbours from noise and odour.

8.22 The applicant has also provided details of some historic appeal decisions (2008 and 2011) where the Court of Appeal held that an Inspector was correct to find that individual factors in themselves may not amount to very special circumstances but combined together they can be sufficient to meet the test. The latter appeal decision related to the extension of a garden centre being allowed after an Inspector found that improving the economic viability of an existing business during a difficult economic climate was capable of constituting very special circumstances. In this case 'significant weight' was attributed to the economic benefits of the proposal and the expansion of the business to secure its viability and the retention of staff.

8.23 Planning Policy consider the need for a countryside location to be of limited weight. However, they do acknowledge that the business is directly connected to the livestock industry and that the lairage facility will mean live animals are present on site and a countryside location is not inappropriate for this form of development. Given it is considered acceptable for the business to continue and grow in this location the need to enable investment and sustainable growth is noted.

8.24 Planning Policy have also accepted that the proposals are required to sustain and meet the applicant's business needs both economically and for staff and visitor health and safety.

8.25 Planning Policy have also accepted that if it is established via environmental health that the proposals will assist in protecting neighbours from noise and odour then they will accept this as contributing to very special circumstances.

8.26 Views of the existing abattoir and associated vehicles can be afforded from the surrounding public domain, including the green belt. Albeit, this development would result in increasing the footprint and height of the building, as well as introduce parking and a waste water treatment facility into a field that is currently grass, it is not considered that the impact on the openness of the green belt or the visual impacts would be significantly greater than that experienced at present. The works proposed would be seen in the context of an existing operational site. The existing mature tree planting sited in the north east corner of the site and adjacent to the southern boundary would assist in reducing the visual impact of the proposed development when viewed from outside of the site. The proposed planting adjacent to the car parking would also assist in reducing its visual impact. The waste water treatment facility would be sited to the south east corner of the proposed car park. The applicant has confirmed that this part of the proposed development would site below the height of the copse of trees which they have advised are approximately 8m high. Again, the existing and proposed planting would assist in reducing its visual impact. Consideration has also been given to the fact that this existing field is enclosed by palisade fencing which has some impact on the openness of the green belt. The Council's Landscape Architect has advised that the proposed wildlife buffer in this area would be acceptable to address the impacts on the wildlife corridor and green belt. The extensions to the building would be confined to the southern part of the site,

adjoining the existing building and utilising the existing hardstand. On balance, it is the view of officers, that the impacts on openness are considered acceptable.

8.27 The economic and operational benefits of the proposed development must be weighed against the impacts on the green belt. The proposed development would enable an existing facility to remain on an already established site thereby meeting the requirements of paragraph 80 of the NPPF which encourages businesses to expand, adapt and invest. Albeit, the proposed development would increase the built form within the green belt, these impacts are considered acceptable.

8.28 Members need to consider whether the proposed development would lead to inappropriate development in the green belt. It is officer that it would but there are a range of very special circumstances that must be taken into account during the decision-making process. Officers consider that that these circumstances are capable in principle of outweighing the potential harm to the characteristics of the green belt in relation to its openness and the specific aim of protecting the countryside from encroachment. It is the view of officers that the principle of the proposed development is considered to be acceptable, subject to all other material considerations set out below being addressed.

9.0 Impact on amenity

9.1 Paragraph 180 of the NPPF states “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.

9.2 LP Policy S1.4 “General Development Principles” states “Proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan.” Amongst other matters this includes: be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses; and be accommodated by, and make best use of, existing facilities and infrastructure, particularly in encouraging accessibility and walking, cycling and public transport, whilst making appropriate provision for new or additional infrastructure requirements”.

9.3 LP Policy DM5.19 Pollution states “Development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity.

Development proposed where pollution levels are unacceptable will not be permitted unless it is possible for mitigation measures to be introduced to secure a satisfactory living or working environment.

Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.....”

9.4 The nearest residential properties, Quarry Cottages, are located immediately to the east of the site. Holiday lets are located further east of the application site. The residential properties of Cheviot Grange are located to the south west of the site.

9.5 The applicant has advised that the proposed development would not generate any additional noise within the site. They have advised that in accordance with best industry practice, all proposed structures are linked thereby reducing the requirement to move from internal to external area (and associated opening and closing of the structure). In addition, all noise generating sources are internalised and located within the site in consideration of the neighbouring properties.

9.6 The current waste water treatment facilities consist of relatively basic pre-treatments of screening (objects greater than 1mm) and settlement prior to discharge to the municipal sewerage system. These processes are located at ground level, directly outside the amenity facilities are open to the elements. The top-level current settlement tank is at ground level and, as it is open, poses a potential health and safety issue to employees and visitors. This risk is currently being managed by reducing access to this area to the minimum. It is proposed to address the main issues of odours arising from the current treatment facilities by means of a modern waste water treatment plant including the covering of the current settlement tank and installation of a dissolve air floatation tank. The applicant has advised that this proposed system is in line with the Best Available Technology (BAT) within the industry. The applicant considers that there will be no increase in risk of odour generation.

9.7 Furthermore, it is proposed to internalise the blood processing tank and plant to reduce risk and eliminate concerns previously expressed under 19/00696/FUL.

9.8 The Environment Agency (EA) has been consulted. Their comments will be reported to Members of the Planning Committee as an addendum.

9.9 Environmental Health has advised that the covering the by-products storage areas will help to mitigate any potential fugitive odours from this area. However, they have noted that the proposed plans indicate new plant and equipment. To ensure that the new plant and equipment does not result in increased noise levels for neighbouring residential properties, they have recommended a condition to ensure that a noise scheme is submitted for consideration prior to its installation. She has also recommended that the odour management plan is reviewed due to the substantial changes to the wastewater treatment facilities.

9.10 The NPPF paragraph 54 states “Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Paragraph 55 states “Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.” The NPPF paragraph 180 aims to “avoid noise from giving rise to significant adverse impacts on health and quality of life”. Members are advised that it is clear from the environmental health comments that they have not objected to the proposed development. It is clear from their comments set out in paragraph 1.38 the appendix to this report that appropriate mitigation to reduce the impacts arising from noise and odours can be secured by conditions.

9.11 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity. It is officer advice that, the proposed development is acceptable in terms of its impact on residential amenity, subject to the imposition of the suggested conditions. As such, it is officer advice that the proposed development does accord with the advice in paragraph 180 of the NPPF and LP policy DM5.19.

10.0 Impact on character and appearance

10.1 Paragraph 124 of the NPPF encourages good design stating that “this is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the NPPF makes it clear that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

10.2 LP Policy DM6.1 ‘Design of Development’ makes it clear that applications will only be permitted where they demonstrate high and consistent design standards. Amongst other matters proposed developments are responsive to their location, including topography, wildlife habitats, site orientation and existing buildings; ensuring a positive relationship to neighbouring buildings and spaces; ensuring sufficient parking is well integrated into the layout; and a good standard of amenity for existing and future residents.

10.3 LDD11 ‘Design Quality’ applies to all planning applications that involve building works.

10.4 LP Policy DM5.9 ‘Trees, Woodlands and Hedgerows’ seeks to safeguard existing features such as trees.

10.5 The relevant green belt policies are set out in Section 8 of this report.

10.6 Quarry Cottages are located to the east of the site. No. 1 Quarry Cottages is separated from the application site by an access road serving these properties. It is noted that there are no habitable windows sited to the gable of No.1. The main garden areas serving these properties appear to be located to the south. Views

of the lairage can be afforded from these properties. However, views of the main building(s) sited in the southern part of the application site are less visible due to the existing vegetation that is sited along the eastern and southern boundaries of the site. Due to the orientation of Quarry Cottages and their main garden areas and the existing vegetation, it is not considered that the proposed extensions, by virtue of their siting or height (maximum height approximately 8.52m), will significantly impact on the visual amenity of these neighbouring properties.

10.7 Views of the proposed development will be afforded from the surrounding area, including Cheviot Grange. However, when viewed from outside of the site it will be seen in the context of existing operational buildings. The existing vegetation, particular during the summer months, will assist in reducing its visual impact. The design of the buildings is in keeping with the simple form of the existing buildings.

10.8 The proposed parking area and waste water treatment facility will be sited in the field to the north of the existing buildings. This field is currently enclosed by a palisade fence and pockets of landscaping. The proposed parking and waste water treatment facility have been inset from the field's current boundaries. The applicant has indicated that they will add additional planting to the north, west and east boundaries of this field to assist in reducing the visual impacts of the proposed parking and waste water treatment facility. On balance, it is not considered that the level of development in this area would significantly reduce the openness of this part of the green belt or result in significant visual intrusion.

10.9 Members need to consider whether the impact on the character and appearance of the immediate surrounding area is acceptable. It is officer advice that, the proposed development would not result in a significant visual impact on the character or appearance. As such, the proposed development accords with national and local planning policies.

11.0 Impact on highway safety

11.1 The NPPF paragraph 109 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

11.2 The NPPF paragraph 110 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

11.3 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support resident's health and well-being.

11.4 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

11.5 Currently employees must park their cars within a very confined site, with all trucks entering the site having to manoeuvre a way around these, including livestock trucks, articulated delivery and collection trucks. The applicant has advised that this issue has increased due to an increase in employee numbers and improvements to working practices i.e. segregated deliveries and collections. There are generally 4/5 trucks on site either waiting to deliver stock or to collect product, these have a detrimental impact on the overall flow of the yards.

11.6 Access to the site remains unchanged. Parking for vehicles will be relocated to a field to the north of the existing building. The applicant has advised that this will meet the needs of the operation, improve manoeuvrability and reduce conflict between users within the site.

11.7 The Highways Network Manager has been consulted. He considers that the alterations to the current parking arrangement within the site would meet the operational needs of this business. He has recommended conditional approval.

11.8 Subject to the imposition of the suggested conditions, the proposed development is not considered to significantly impact on the adjacent highway network. As such, the proposed development accords with both national and local planning policies.

11.9 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network and parking provision. It is officer advice that, subject to the imposition of the suggested conditions, it is. The proposed development accords with both national and local planning policies.

12.0 Other Issues

12.1 Contaminated Land

12.2 NPPF paragraph 178 states “Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This include risks arising from natural hazards of former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from the remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments”

12.3 NPPF paragraph 179 states “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”.

12.4 LP Policy DM5.18 “Contaminated and Unstable Land” states: “Where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which:

a. Shows that investigations have been carried out to assess the nature and extent of contamination or stability issues and the possible effect it may have on

the development and its future users, biodiversity, the natural and built environment; and

b. Sets out detailed measures to allow the development to go ahead safely and without adverse affect, including, as appropriate:

- i. Removing the contamination;
- ii. Treating the contamination;
- iii. Protecting and/or separating the development from the effects of the contamination;
- iv. Validation of mitigation measures; and
- v. Addressing land stability issues.

Where measures are needed to allow the development to go ahead safely and without adverse affect, these will be required as a condition of any planning permission”

12.5 The Contaminated Land Officer has been consulted. She has recommended conditional approval.

12.6 The Coal Authority has been consulted. They have raised no objections to the proposed development.

12.7 Members need to consider whether the proposed development is acceptable in terms of its impact on ground conditions. It is officer advice that it is.

12.8 Minerals

12.9 LP DM5.17 ‘Minerals’ sets out guidance on minerals extraction. However, this development relates to an existing operational commercial site.

12.10 Flood risk

12.11 The NPPF paragraph 163 makes it clear that “When determining planning applications, LPA’s should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment (FRA) following the sequential test.”

12.12 LP Policy “DM5.12 Development and Flood Risk” states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

12.13 The Lead Local Flood Authority (LLFA) has been consulted. He has advised that the proposed development will attenuate surface water with an attenuation tank to be installed within the proposed car park area. The surface water from the attenuation tank will pass through a petrol interceptor which will capture any pollutants within the surface water system before it leaves the site. It will then pass through a hydrobrake which will restrict the surface water discharge rate before entering the local sewer network.

12.14 Members need to determine whether the proposed development is acceptable in terms of flood risk. It is officer advice that, subject the imposition of the suggested conditions, it is. The proposed development accords with both national and local planning policies.

12.15 Impact on Biodiversity

12.16 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural environment.

12.17 Paragraph 174 of the NPPF states that when determining planning applications LPA's should aim to protect and enhance biodiversity and geodiversity by following the principles set out in paragraph 175 which includes, amongst other matters, if significant harm cannot be avoided, adequately mitigated, or as a last resort, compensated from the planning permission should be refused.

12.18 LP Policy DM5.7 Wildlife Corridors "Development proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement."

12.19 The application site is located within a wildlife corridor.

12.20 The Council's Biodiversity Officer has been consulted. She has considered the submitted Preliminary Ecological Appraisal which has assessed the site for protected species and habitats. She has advised that the survey identifies the main habitats on site to be poor semi-improved grassland, small areas of woodland and buildings/hard standing areas. The site supports habitats that are of low conservation importance and which support a limited range of commonly occurring bird species and are of low importance for foraging and commuting bats. No evidence of other protected species or species of conservation importance were found within the site. No buildings or structures within the site have the potential to support roosting bats.

12.21 She has also advised that the submitted landscape plan for the northern section of the site is considered to be acceptable to address the impacts on the wildlife corridor. A condition has been suggested to ensure that appropriate species mixes are agreed.

12.22 Members need to determine whether the proposed development is acceptable in terms of its impacts on biodiversity. It is officer advice that, subject the imposition of the suggested conditions, it is. The proposed development accords with both national and local planning policies.

13.0 Local Financial Considerations

13.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant

authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received or, will or could receive in payment of the Community Infrastructure Levy. It is not considered that the proposal results in any local financial considerations.

14.0 Conclusion

14.1 Members need to determine whether the proposed development is acceptable in terms of the principle of the development, including its impact on the openness of the green belt, its impact on amenity, its impact on the character and appearance of the area and all other issues including its impact on highways, flood risk, biodiversity and ground conditions. It is the view of officers that the proposed development is acceptable. As such, officers consider that the proposed development does accord with national and local planning policies. Approval is recommended subject to expiry of consultation.

RECOMMENDATION: Mind to grant on expiry consultation

It is recommended that members indicate they are minded to approve the application subject to no objections being raised by The Environment Agency, and subject to the conditions set out below and the addition or omission of any other considered necessary, subject to the receipt of any additional comments, and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Site location plan BD-201-PL-1.00
- Existing site plan BD-201-PL-1.01
- Proposed site plan BD-201-PL-1.02
- Demolition site plan BD-201-PL-1.03
- Existing site levels BD-201-PL-1.04
- Proposed site levels BD-201-PL-1.05
- Existing and proposed drainage plan BD-201-PL-1.07
- Existing ground floor plan BD-201-PL-2.00
- Proposed ground floor plan BD-201-PL-2.01
- Proposed first floor plan BD-201-PL-2.02
- Existing roof plan BD-201-PL-2.03
- Proposed roof plan BD-201-PL-2.04
- Existing and proposed sections (1-1/1-1) BD-201-PL-4.00
- Existing and proposed sections (2-2/2-2) BD-201-PL-4.01
- Existing and proposed north and south elevations BD-201-PL-4.02
- Existing and proposed east and west elevations BD-201-PL-4.03
- Existing and proposed 3D Views BD-201-PL-9.00

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policies DM6.1 and DM7.4 of the North Tyneside Local Plan (2017).

4. Notwithstanding Condition 1, prior to the commencement of any part of the building hereby approved above damp proof course level details of facilities to be provided for the storage of all refuse types shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be implemented prior to any part of the building hereby approved being brought into use and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies DM6.1 of North Tyneside Local Plan (2017).

5. Notwithstanding Condition 1, 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: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and 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). The scheme must 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 and for the life of the works associated with the development.

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.

6. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved details of the drainage design shall be submitted

to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these details which shall be permanently maintained and retained.

Reason: This information is required from the outset to ensure that the proposed development does not increase flood risk having regard to the NPPF.

7. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved details of the proposed maintenance regime for all surface water drainage features within the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these details which shall be permanently maintained and retained.

Reason: This information is required from the outset to ensure that the proposed development does not increase flood risk having regard to the NPPF.

8. No other part of the development shall be commenced until:

- a) A detailed site investigation has been carried out to establish:
 - i) If the site is contaminated;
 - ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the residents and public use of land;
 - iii) To determine the potential for the pollution of the water environment by contaminants and;
 - iv) The implication for residential development of the site and the quality of the environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability(to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This

should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

9. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

10. Notwithstanding Condition 1, prior to the construction of any part of the car park or any works within this area hereby approved a fully detailed landscape plan, including a landscape maintenance schedule for a minimum period of five years, shall be submitted to and approved in writing by the Local Planning Authority.

-The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species (trees to 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 thereafter.

-The landscape maintenance schedule for a minimum period of five years shall include details of the arrangements for its implementation.

Thereafter, the development hereby approved shall be carried out and maintained in full accordance with these agreed details.

Reason: To enhance existing landscape features having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

11. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a Construction Environmental Management Plan (CEMP)/Pollution Prevention Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset to ensure habitat within the site and adjacent to the site are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017).

12. No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified person 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 (2017).

13. Any excavations left open overnight will 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 wildlife is adequately protected during construction having regard to policy DM5.7 of the North Tyneside Local Plan (2017).

14. Notwithstanding Condition 1, prior to the construction of any part of the car park or any works within this area hereby approved details of two bird boxes, including bird box specification, location and timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details which shall be permanently maintained and 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 (2017).

15. Notwithstanding Condition 1, prior to the construction of any part of the car park or any works within this area hereby approved details of two bat boxes including bat box specification, location and timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details which shall be permanently maintained and 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 (2017).

16. 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. Any trees, shrubs or hedges removed without such

consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Reason: To ensure that existing landscape features are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

17. Notwithstanding any indication of materials which may have been given in the application, prior to the commencement of any building hereby approved above ground level a schedule and/or samples of the materials and finishes for the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

18. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

19. There shall be no demolition activity or vehicle movements to, from or within the site outside the hours of 0800-1800 Monday to Friday, 0800-1400 Saturday with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenities of neighbouring residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

20. Prior to installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interest of visual amenity and/or highway safety having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

21. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved an odour management plan shall be submitted to and approved in writing by the Local Planning Authority. This plan must demonstrate how the site as proposed on Dwg No. BD-201-PL-1-02 will control odours to protect the health of local residents. Thereafter, the development shall be carried out in accordance with these agreed details.

Reason: This information is required from the outset to ensure that the impacts on local residents is appropriately mitigated having regard to Policy DM5.19 of the North Tyneside Local Plan (2017).

22. Prior to the installation of any plant and equipment a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This noise scheme must be in accordance with BS4142 to determine a) the background noise level without the new plant and equipment noise operating at the boundary of the nearest residential premises and b) appropriate mitigation measures taken where necessary to ensure the rating level of the new plant and equipment installed does not exceed the background noise level. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details which shall be permanently retained and maintained.

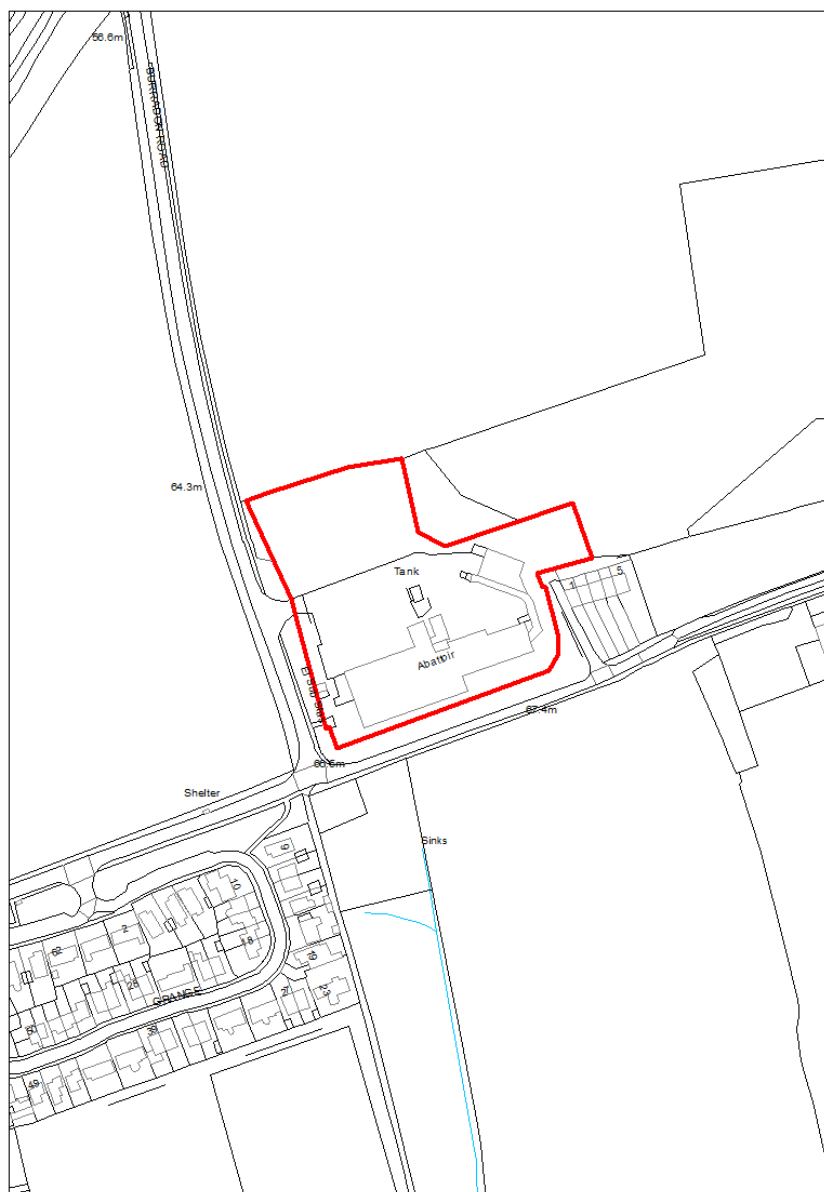
Reason: To protect neighbouring properties from undue noise and disturbance having regard to Policy DM5.19 of the North Tyneside Local Plan (2017).

23. Within three months of the installation of any plant and equipment pursuant to condition 22 acoustic testing shall be undertaken to verify compliance with this condition. This verification shall be submitted to and approved in writing prior to the operation of this plant and equipment. Thereafter, any plant or equipment shall only be operated in accordance with the approved details.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.



Application reference: 20/00517/FUL

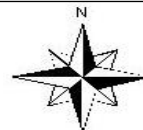
Location: Burradon Abattoir, Burradon Road, Burradon

Proposal: Extensions to the existing facility, including covering the external yard, the demolition of an existing employee/amenity block and construction of welfare/amenity building and new offices, and increased hardstanding for vehicles connected with the use, including truck and car parking, and additional safe manoeuvring space, and a waste water treatment facility (additional information received 19.06.2020)

Not to scale

Date: 22.07.2020

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Consultations/representations

1.0 Internal Consultees

1.1 Highways Network Manager

1.2 Access remains unchanged and parking for both private cars and HGV's will be improved to meet the needs of the site. Conditional approval is recommended.

1.3 Recommendation - Conditional Approval

1.4 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT06 - Construction Method Statement (Minor)

1.5 Informatives:

I10 - No Doors/Gates to Project over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlp

1.6 Local Lead Flood Authority (LLFA)

1.7 I have carried out a review of planning application 20/00517/FUL, I can confirm I have no objections to the surface water drainage proposals. The applicant is proposing to provide surface water attenuation on site via the use of a 230-cubic metre underground geocellular storage tank which is to be installed within the proposed car parking area. The surface water from the attenuation feature will then pass through a petrol interceptor which will capture any pollutants within the surface water system before it leaves the site. The surface water will then pass through a hydrobrake which will restrict the surface water discharge rate to 19.5l/s before discharging into the local sewer network.

1.8 I would recommend that the following conditions are placed on the development if the application is successful:

-A copy of the detailed drainage design to be provided to LLFA for approval prior to construction.

-Details of the proposed maintenance regime for all surface water drainage features within site to be provided to LLFA for approval.

1.9 Contaminated Land Officer

1.10 I have read the desk top study report and note it states the following:

1.11 Based on scrutiny of desk-based information the site is classed as 'Low/Low-Medium or Medium risk' in terms of perceived risk. A Phase 2 soils investigation is recommended to accord with Building Regulations. It should include soil contamination testing, soil gas monitoring and groundwater analysis if perched water is encountered.

1.12 Therefore, the following must be applied:

Con001

Gas006

1.13 Biodiversity Officer

1.14 The above site is located to the east of Burradon Road with agricultural land to the east, south, north and west of the site. To the immediate north of the abattoir building, there is a field with a copse of woodland to the east and some hedgerow to the west and north of the field. The track to the south of the abattoir contains mature hedgerow, tree and scrub planting. The site is located within the greenbelt and a designated wildlife corridor. Greenbelt and wildlife corridor policies within the Local Plan, therefore, apply to this application.

1.15 The submitted plans for this application show that the existing employee block will be demolished, and the site will be extended into the field to the north to provide car parking, a truck park and waste water facilities.

1.16 In line with previous advice dated 15.6.20, a Preliminary Ecological Appraisal has been submitted which has assessed the site for protected species and habitats. The survey identifies the main habitats on site to be poor semi-improved grassland, small areas of woodland and buildings/hard standing areas. The site supports habitats that are of low conservation importance and which support a limited range of commonly occurring bird species and are of low importance for foraging and commuting bats. No evidence of other protected species or species of conservation importance was found within the site. The survey also confirmed that there are no buildings or structures within the site boundary which have potential to support roosting bats. The industrial buildings that are present are considered to have negligible potential to support roosting bats.

1.17 A 'Landscape Plan' (DWG No. 2017.01 June 2020) has been submitted for the northern section of the site (wildlife buffer) which consists of native woodland/scrub planting, native hedgerows and native wildflower meadow. The planting shown on the plan is considered to be acceptable to address the impacts on the wildlife corridor and greenbelt and the loss of a small area of poor semi-improved grassland. However, some minor amendments to species mixes will be required, which should be dealt with by way of a landscape condition. It is recommended that the applicant liaises with the Council's Biodiversity Officer and Landscape Architect to agree the planting specification.

1.18 The provision of bird and bat boxes within the scheme will also be required to provide enhancements in line with planning policy.

1.19 I have no objection to the above scheme subject to the following conditions being attached to the application:

Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved a Construction Environmental Management Plan (CEMP)/Pollution Prevention Plan shall be submitted to and approved in writing

by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: This information is required from the outset to ensure habitat within the site and adjacent to the site are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017).

Notwithstanding Condition 1, prior to the construction of any part of the car park or any works within this area hereby approved a fully detailed landscape plan, including a landscape maintenance schedule for a minimum period of five years, shall be submitted to and approved in writing by the Local Planning Authority.

-The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species (trees to 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 thereafter.

-The landscape maintenance schedule for a minimum period of five years shall include details of the arrangements for its implementation.

Thereafter, the development hereby approved shall be carried out and maintained in full accordance with these agreed details.

Reason: To enhance existing landscape features having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

No vegetation removal or building works shall take place 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.

Any excavations left open overnight will 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 wildlife is adequately protected during construction having regard to policy DM5.7 of the North Tyneside Local Plan (2017).

2no. bird boxes will be provided in suitable locations within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans

2no. bat boxes will be provided in suitable locations within the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans

1.20 Landscape Architect

1.21 The application is for the demolition of an existing employee amenity block and construction of a new amenity block, construction of a dedicated car park, truck park and improved waste water treatment facilities. The submitted plans for this application show that the existing employee block will be demolished, and the site will be extended into the field to the north to provide car parking, a truck park and waste water facilities.

1.22 Additional supporting information has been submitted following earlier comments. A Landscape Plan (DWG No. 2017.01 June 2020) has been submitted for the northern section of the site proposing a wildlife buffer which consists of native woodland planting, hedgerows and wildflower meadow. The principle of the planting shown on the plan is considered to be acceptable to address the impacts on the wildlife corridor and greenbelt and the loss of a small area of grassland.

1.23 I have no objection to the above scheme subject to the following conditions being applied in addition to the landscape condition proposed by the Biodiversity Officer:

The contractor's 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 and maintained for the duration of the works.

1.24 Planning Policy

1.25 This application seeks the extension of an existing abattoir facility and a reprofiled and extended car parking / hardstanding area within the green belt to the north of Burradon.

1.26 This is an existing site that has been in use for this purpose for some time. The nature of the use relates to its countryside fringe location and the potential for disturbance or harm to adjacent residents and occupiers is minimal with any residual harm capable of being mitigated.

1.27 National Planning Policy Framework (NPPF) paragraphs 143 to 147 and Local Plan policies S1.5 and DM1.6 outline the consideration that should be given to proposals affecting the green belt.

1.28 Appropriate development in the green belt
NPPF establishes that extensions are not inappropriate development in the green belt unless cumulative change leads to a disproportionate increase in the scale of buildings. The applicant has stated that the latest planning application would lead to no more than a 50% increase on the original floor area of the buildings on site, whilst the extension of car parking and hardstanding provision within the site curtilage is considered by the applicant to be inappropriate development for which very special circumstances must be demonstrated.

1.29 The overall cumulative additions to the original building on site are considered to be a substantial increase in terms of footprint and in volume. The original building on this site is believed to have been between 1,700sqm and 1,900sqm. The total floor area of the facility following this application would be 3,344sqm. This is a total cumulative increase of between 70% and 96%. The precise scale of increase should be verified to establish what change has occurred and what impact this has had upon green belt openness over time. If the scale of change is towards the upper end of this estimate it is considered that the scales of extensions – in nearly doubling the footprint onsite whilst also substantially increasing their height and volume should not be considered proportionate.

1.30 The applicant's identification of the proposed car parking and hardstanding as inappropriate development in the green belt is considered correct. It is additionally noted that the challenges currently being faced in circulating safely and efficiently on the site is as a result of the previous and proposed extensions to the building – removing this circulation space. This illustrates that the cumulative extensions are disproportionate to the existing building and original capacity of the site.

1.31 Very special circumstances

1.32 Whilst the applicants did not identify the extension as inappropriate development, information has been provided on what they consider to be very special circumstances. Our view is that this evidence is of equal relevance to the proposed building extension. Each of the circumstances identified by the applicant are addressed in turn below:

Need for a countryside location – the weight behind this argument appears limited. There are locations across North Tyneside that are likely to be just as, if not more accessible to suppliers and livestock markets via the highway network. However, it is acknowledged that the business is directly connected to the livestock industry and that the lairage facility will mean live animals are present on site and a countryside location is not inappropriate for this form of development. Given it is considered acceptable for the business to continue and grow in this location the need to enable investment and sustainable growth is recognised.

Economic – it is accepted that the proposals are required to sustain and meet the applicant's business needs.

Staff and visitor health and safety - it is accepted that the proposals are required to sustain and meet the applicant's business needs.

Environmental protection and sustainability / protection of neighbours from noise, odour – the environmental impacts of the existing facility and history of complaints are noted. If it is established via colleagues in Environmental Health that the proposals will bring about real benefits in this regard, they are accepted as contributing to very special circumstances.

1.33 Conclusion:

1.34 It is considered that the application, which it is noted by the applicant is required in its entirety with the proposals mutually dependent, would lead to an inappropriate development in the green belt but there are a range of very special circumstances that should be taken into consideration.

1.35 On balance it is considered that these circumstances are capable in principle of outweighing the potential harm to the characteristics of the green belt in relation to its openness and the specific aim of protecting the countryside from encroachment.

1.36 It is expected that the proposed landscaping will be capable of mitigating what harm is caused through the development. The comment and views of the landscape architect will be crucial in establishing what impact the proposals would have on balance upon the characteristics of the green belt.

1.37 Environmental Health

1.38 I have no objection in principle to the proposed works as I note that the applicant advises that the by-product storage areas will be covered, and this will help to mitigate any potential fugitive odours from this area. However, I note that the proposed plans indicate new plant and equipment. The applicant has provided no details of any proposed plant/equipment which is to be installed on-site next to the new lorry park area and is not showing on the existing plan. I would therefore require a noise condition is attached to ensure any new external plant and equipment does not result in increased noise levels for neighbouring residential properties. As the proposed works will result in substantial changes to the wastewater treatment facilities it is recommended that the odour management plan is reviewed and updated to reflect this. Due to the close proximity of domestic dwellings at Quarry Cottages and Cheviot Grange and the occurrence of historic nuisance complaints I would recommend that planning approval be subject to the following conditions:

LIG001 for any new external lighting.
HOU004
SIT03

Non-standard Condition:

An odour management plan must be submitted for approval to the Local Planning Authority demonstrating how the site as proposed on submitted drawing no. "BD-201-PL-1-02" will control odours to protect the health of local residents.

Non-standard Condition:

A noise scheme must be submitted for approval to the Local Planning Authority in accordance with BS4142 to determine a) the background noise level without the new plant and equipment noise operating at the boundary of the nearest residential premises and b) appropriate mitigation measures taken where necessary to ensure the rating level of the new plant and equipment installed does not exceed the background noise level.

It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of

its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 The Coal Authority

3.2 The application site does not fall within the Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted for The Coal Authority to be consulted.

3.3 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public safety.

3.4 Environment Agency (EA)

3.5 Comments to be reported as an addendum.

Item No: 4
Application No: 20/00632/OUT
Date valid: 28 May 2020
Target decision date: 27 August 2020
Author: Rebecca Andison
☎: 0191 643 6321
Ward: Riverside

Application type: outline planning application

Location: Management Suite, Royal Quays Outlet Centre, Coble Dene, North Shields, Tyne And Wear

Proposal: Outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking

Applicant: WD Chatham Ltd, Mr Peter Everest 9-10 Staple Inn London WC17 7QH

Agent: Covell Matthews Architects Ltd, Mr Hector Black 6 Manor Place Edinburgh EH3 7DD

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider are:

- whether the principle of the proposal is acceptable;
- the impact on surrounding occupiers;
- the impact on the character and appearance of the site and its surroundings;
- whether there is sufficient car parking and access provided; and
- the impact on trees and ecology.

2.0 Description of the Site

2.1 The application relates to part of the car park which serves the Royal Quays Outlet shopping centre.

2.2 The site is located adjacent to Coble Dene, immediately to the east of an inflatable theme park and to the north of an existing Premier Inn Hotel. To the south east is a public house (Brewer's Fare). The area to the north contains a variety of uses, including a water park, bowling alley and residential properties. The International Ferry Terminal and Royal Quays Marina are located a short distance to the east, at the end of Coble Dene.

3.0 Description of the proposed development

3.1 This application seeks outline planning permission for the development of a hotel and associated car parking. All matters are reserved for subsequent approval.

3.2 The hotel would be 3-storey in height and contain approximately 70no. bedrooms.

4.0 Relevant Planning History

4.1 The Royal Quays Centre has an extensive planning history dating back to 2000 when planning permission was granted for the refurbishment of the Royal Quays development under the following application:

00/00328/FUL - Proposed refurbishment to include some change of use, demolition and rebuilding, provision of new and extended retail units, new canopies, amended car parking – Permitted 15.09.2000

4.2 The most recent applications are listed below:

20/00523/FUL - Proposed partial change of use of existing A1 Factory Outlet Shopping Centre to A1 Factory Outlet/B1/B8 Industrial. Alterations to existing service arrangements to suit new use – Permitted 08.07.2020

16/01263/AMEND – Non Material Amendment of planning approval

15/01567/FUL - Repositioning of main entrance and service access, three new emergency accesses and steps, changes to ground level and height, loss of two car parking spaces and altered hard landscaping layout – Permitted 28.09.2016

15/01567/FUL - Erection of a trampoline hall – Permitted 17.02.2016

14/01961/FUL - Proposed temporary garden centre (A1 Use) to be part of the existing Royal Quays Outlet Shopping Centre – Permitted 10.03.2015

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (February 2019)

6.2 Planning Practice Guidance (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues for Members to consider in this case are;

- whether the principle of the proposal is acceptable;
- the impact on surrounding occupiers;
- the impact on the character and appearance of the site and its surroundings;
- whether there is sufficient car parking and access provided; and
- the impact on trees and ecology.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in an appendix to this report.

8.0 Principle of the Proposed Development

8.1 Paragraph 7 of NPPF states that the purposed of the planning system is to contribute to the achievement of sustainable development.

8.2 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision takers should approve development proposals that accord with an up-to-date development plan without delay.

8.3 The NPPF (para.80) states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

8.4 The NPPF, states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan.

8.5 Policy DM1.3 states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area.

8.6 Policy S1.4 states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development or areas specific policies of the Local Plan.

8.7 Local Plan Policy S2.1 states that proposals that make an overall contribution towards sustainable economic growth, prosperity and employment in North Tyneside will be encouraged. This include the creation, enhancement and expansion of tourist attractions, visitor accommodation and infrastructure, capitalising on the Borough's exceptional North Sea coast, River Tyne and International Ferry Terminal.

8.8 Policy AS2.5 states that across the River Tyne North Bank area proposals for all forms of employment development will be supported to enable economic growth, investment and regeneration of the area where they do not restrict riverside access that could compromise the capacity of the River Tyne North Bank to support marine and off-shore related industry.

8.9 Policy DM3.4 of the Local Plan states that proposals for main town centre uses on sites not within the town centres will be permitted where they meet the following criteria:

- a. In order of priority, there are no sequentially preferable sites in-centre, then edge of centre, and then existing out-of-centre development sites previously occupied by appropriate main town centre uses that are readily accessible to Metro stations or other transport connections to the town centres and then finally existing out-of-centre locations;
- b. The suitability, availability and viability of sites should be considered in the sequential assessment, with particular regard to the nature of the need that is to be addressed, edge-of-centre sites should be of a scale that is appropriate to the existing centre;
- c. There is flexibility in the business model and operational requirements in terms of format; and
- d. The potential sites are easily accessible and well connected to town centres. Proposals for retail development outside a town centre will require an impact assessment where they would provide either:
 - e. 500m² gross of comparison retail floorspace, or more; or
 - f. 1,000m² gross of retail floorspace for supermarkets/superstores, or more.

The proposal would be supported when the necessary Impact Assessment has shown that:

- g. The proposal would have no significant adverse impacts, either individually or cumulatively, on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- h. The proposal would have no significant adverse impact on the vitality and viability of a town centre, including consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

8.10 The site is an out of centre location and is located within the River Tyne North Bank area.

8.11 The hotel development is defined as a main town centre use within the NPPF. In accordance with paragraph 86 of the NPPF and Local Plan Policy DM3.4 a sequential assessment has been submitted as part of the application.

8.12 The sequential assessment considers alternative sites within and on the edge of the existing centres of Wallsend and North Shields. No sequentially preferable sites or buildings that were suitable, available and viable were found.

8.13 The proposal would support economic growth and contribute to job creation in accordance with the NPPF and Policy S2.1. It would also capitalise on the economic opportunities of the International Ferry Terminal and Royal Quays Marina in accordance with Policy S2.1, and support the economic growth, investment and regeneration of the River Tyne North Bank in accordance with Policy AS2.5.

8.14 Having regard to the above it is officer opinion that the principle of the proposal is acceptable subject to consideration of the following matters:

9.0 Impact on surrounding occupiers

9.1 Paragraph 180 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.2 Policy S1.4 of the Local Plan states that development should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

9.3 Policy DM5.19 states that amongst other matters development that may cause pollution will be required to incorporate measures to prevent or reduce the pollution so as not to cause nuisance or unacceptable impacts to people. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.4 The application site is located within a predominantly commercial area. Immediately surrounding the application site is a leisure facility (Inflata Nation), hotel and public house, with the Royal Quays shopping centre to the west. On the opposite side of Coble Dene is a water park and bowling alley. The closest residential properties are located approximately 340m to the north west and 300m to the east.

9.5 The Manager of Environmental Health has provided comments and confirms that she has no objections to the proposal. She recommends several conditions including in respect of: construction and delivery hours, external plant, odour suppression, refrigeration, dust suppression scheme and external lighting. In officer opinion the impact on residential occupiers is considered to be acceptable subject to these conditions.

9.6 The existing Premier Inn Hotel would be located approximately 25m from the rear elevation of the proposed hotel. While there would be some impact on outlook from the north east facing windows of the Premier Inn it is not considered that this would result in any significant harm to the business.

9.7 Members need to consider whether the impact on existing occupiers would be acceptable. It is officer advice that the impact is acceptable.

10.0 Character and appearance

10.1 NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

10.2 Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (para. 130, NPPF).

10.3 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis of the characteristics of the site, its wider context and the surrounding area.

10.4 The Council has produced an SPD on Design Quality, which seeks to encourage innovative design and layout and that contemporary and bespoke architecture is encouraged. The chosen design approach should respect and enhance the quality and character of the area and contribute towards creating local distinctiveness.

10.5 The application is outline with all matters including appearance and scale reserved for subsequent approval. However, an indicative layout has been submitted to demonstrate how the site could be developed to accommodate a hotel and associated parking. The applicant has indicated that the building would be 3-storeys. Indicative street elevations have been provided.

10.6 The application site is located in an area characterised by large commercial buildings. The adjacent Premier Inn Hotel is 3-storeys and to the north west there is a 6-storey office building at the junction of Coble Dene and Howdon Road. In this context a 3-storey building is considered to be acceptable.

10.7 The indicative site layout shows that the site is of an adequate size to accommodate the hotel with space remaining for car parking at the rear.

10.8 As this is an outline application with all matters reserved, Members need to determine whether the indicative layout demonstrates that an appropriate site layout could be achieved. In officer opinion, subject to the imposition of conditions, the impact on the character and appearance of the area would be acceptable. As such, the proposed development complies with both national and local planning policies.

11.0 Whether there is sufficient car parking and access provided

11.1 NPPF recognises that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives.

11.2 All development that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so the likely impacts of the proposal can be fully assessed.

11.3 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on

highway safety, or the residual cumulative impacts on the road network would be severe.

11.4 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

11.5 The Transport and Highways SPD sets out the Council's adopted parking standards.

11.6 For this development the Transport and Highways SPD requires 1no. space per bedroom for guests, 1no. space per five bedrooms for staff, plus an additional disabled space per every 20no. spaces.

11.7 As the proposed development is an outline application with all matters reserved, the layout is not for consideration as part of this application. The final car and cycle parking are to be finalised with any subsequent application for reserved matters, should Members be minded to approve this application.

11.8 The Highways Network Manager has been consulted and raises no objection to the principle of the development. He advises that while some parking spaces would be lost as a result of the development, previous parking surveys have demonstrated that the remaining car park would be sufficient to meet the needs of the existing and proposed uses.

11.9 The Highways Network Manager has recommended several conditions, including detailed car parking layouts and cycle parking provision in accordance with the Transport and Highways SPD; a car parking management strategy; a refuse management strategy; and the submission of a Travel Plan.

11.10 Having regard to the above, there are no objections to the application on transport or highways grounds, subject to the submission of suitable details at the reserved matters stage and the conditions requested by the Highways Network Manager. It is officer advice that the proposal complies with the advice in NPPF, policy DM7.4 and the Transport and Highways SPD.

12.0 Trees and Ecology

12.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

12.2 Paragraph 175 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

12.3 Policy DM5.5 of the Local Plan states that all development proposals should amongst other matters protect biodiversity and minimise the fragmentation of habitats and wildlife links.

12.4 Policy DM5.9 supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

12.5 Local Plan Policy DM5.6 states that proposals that are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects, will require an appropriate assessment. Proposals that adversely affect a site's integrity can only proceed where there are no alternatives, imperative reasons of overriding interest are proven and the effects are compensated.

12.6 Expert advice will be sought on such proposals and, if necessary, developer contributions or conditions secured to implement measures to ensure avoidance or mitigation of, or compensation for, adverse effects. Such measures would involve working in partnership with the Council (and potentially other bodies) and could include a combination of two or more of the following mitigation measures:

- a. Appropriate signage to encourage responsible behaviour;
- b. Distribution of information to raise public awareness;
- c. Working with local schools, forums and groups to increase public understanding and ownership;
- d. Use of on-site wardens to inform the public of site sensitivities;
- e. Adoption of a code-of conduct;
- f. Zoning and/or seasonal restrictions to minimise disturbance in particular sensitive areas at particularly sensitive times;
- g. Specially considered design and use of access points and routes;
- h. Undertaking monitoring of the site's condition and species count;
- i. Provision of a Suitable Accessible Natural Green Space (SANGS).

12.7 The Coastal Mitigation SPD contains additional guidance and information on the mitigation expected from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. Development can adversely affect the Northumbria Coast SPA /Ramsar through additional pressure from local residents and visitors. It is proposed to introduce a coastal wardening service as part of a wider Coastal Mitigation Service that will implement a range of targeted and coordinated physical projects to mitigate the impacts at the coast. The SPD sets out a recommended developer contribution towards this service that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats.

12.8 The site currently comprises a tarmac car park with avenues of shrubs and trees. The Landscape Architect has been consulted. She states that the application does not include any details of the associated landscaping or how the development would impact on existing landscape features. She advises that a landscape scheme, details of tree protection measures and a tree survey will be required.

12.9 The Biodiversity Officer has also commented. She states that as the scheme is within 6km of the Northumbria Coast SPA and Ramsar site it is likely to impact the coast as a result of additional recreational disturbance. To mitigate

this impact a financial contribution will be required in line with the Coastal Mitigation SPD.

12.10 The developer has agreed to make a contribution of £153 per unit of accommodation towards the coastal mitigation scheme.

12.11 Landscaping is a reserved matter and therefore a detailed landscaping scheme to include details of any trees lost and replacement planting can be provided at reserved matters stage. Details of tree protection measures can also be required by condition.

12.12 It is officer advice that subject to these conditions and the agreed contribution towards the Coastal Mitigation Scheme, the proposal would avoid having an adverse impact in terms of landscaping and ecology, and therefore would accord with the advice in NPPF, Policy DM5.5 and policy DM5.9 of the Local Plan.

13.0 Other issues

13.1 Contaminated Land

13.2 Paragraph 179 of NPPF states that where a site is affected by contamination of land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

13.3 Policy DM5.18 'Contaminated and Unstable Land'; states that where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report.

13.4 Given that the application site overlies former landfill and was previously used as a railway, there may be the potential for ground gas and contamination. The Contaminated Land Officer has stated that conditions will be required to address these issues.

13.5 Subject to these conditions, it is officer advice that the proposal complies with policy DM5.18 of the Local Plan 2017.

13.6 Flooding

13.7 The National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

13.8 Policy DM5.12 of the Local Plan states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been undertaken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

13.9 Policy DM5.14 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems

(unless otherwise updated and/or superseded. On brownfield sites, surface water run off rates post development should be limited to a maximum of 50% of the flows discharged immediately prior to the development where appropriate and achievable. For greenfield sites, surface water run off post development must meet or exceed the infiltration capacity or the greenfield prior to development incorporating an allowance for climate change.

13.10 The site is an existing area of hardstanding car park, and is within Flood Zone 1, which is the lowest risk. It is not within a Critical Drainage Area.

13.11 The development would result in a small increase in the impermeable area due to the loss of landscaping. The Local Lead Flood Officer has advised that this will not impact on the surface water drainage network or the receiving water body given that surface water would drain into a tidal section of the River Tyne. He recommends a condition in respect of the detailed drainage design.

13.12 Northumbrian Water has been consulted and do not object subject to a condition in respect of the foul and surface water drainage.

13.13 Subject to a condition, it is officer advice that the proposal would not have an adverse impact in terms of flooding and would accord with the advice in NPPF and policies DM5.12 and DM5.14. Members need to consider whether they agree.

13.14 S106 Contributions

13.15 Paragraph 54 of NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

13.16 Paragraph 56 of NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

13.17 Policy S7.1 states that the Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of provision.

13.18 Policy DM7.2 states that the Council is committed to enabling a viable and deliverable sustainable development. If the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.

13.19 Policy DM7.5 states that the Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training. Applicants are encouraged to agree measures with the Council to achieve this, which could include:

- a. The development or expansion of education facilities to meet any identified shortfall in capacity arising as a result of the development; and/or,
- b. Provision of specific training and/or apprenticeships that:
 - i. Are related to the proposed development; or,
 - ii. Support priorities for improving skills in the advanced engineering, manufacturing and the off-shore, marine and renewables sector where relevant to the development.

13.20 The Council's adopted SPD on Planning Obligations (2018) states that the Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with the applicants to identify appropriate solutions where matters of viability arise and require negotiation.

13.20 The following contributions have been requested by service areas:

Ecology and Biodiversity: £6,825

Employment and Training: 0.5% of the total capital costs and/or apprenticeship opportunities within the construction and end user phase.

Coastal Mitigation: £153 per unit towards the Coastal Mitigation Scheme

13.21 The above have been reported to IPB. These contributions are considered necessary, directly related to the development and fairly and reasonable relate in scale and kind to the development and therefore comply with the CIL Regulations.

13.22 A CIL payment will be required.

13.23 Local Financial Considerations

13.24 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive in payment of the Community Infrastructure Levy (CIL). The proposal would result in additional business rates being received by the Council and this is a benefit of this proposal. Jobs would also be created during the construction phase and when the hotel is operational.

14.0 Conclusions

14.1 The application site is an existing car park, within an out of centre location. It has been demonstrated that there are no sequentially preferable sites that are suitable, available and viable. The proposal would secure economic growth and

contribute to job creation. This carries significant weight. The proposal would not have an adverse impact on surrounding occupiers, the character of the area, highway safety or biodiversity.

14.2 The application is therefore recommended for approval subject to a S106 legal agreement and conditions.

RECOMMENDATION: Minded to grant legal agreement req.

Members are recommended to indicate that they are minded to grant this application subject to an Agreement under Section 106 of the Town and Country Planning act 1990 and the addition, omission or amendment of any other conditions considered necessary. Members are also recommended to grant plenary powers to the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following:

Ecology and Biodiversity: £6,825

Employment and Training: 0.5% of the total capital costs and/or apprenticeship opportunities within the construction and end user phase.

Coastal Mitigation: £153 per unit towards the Coastal Mitigation Scheme

Conditions/Reasons

1. The development shall be carried out in accordance with the following approved plans:

- Application form
- Site location plan

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Approval of the details of access, scale, layout, appearance and landscaping hereafter called the "reserve matters" shall be obtained from the Local Planning Authority before any development is commenced.

Reason: That your application is expressed to be an outline application only.

3. Application for approval, of reserve matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of the last of the reserve matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall not exceed 3-storeys in height.

Reason: To protect the character and appearance of the surrounding area; having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

5. The details to be submitted as part of the reserved matters application shall include a scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and these areas shall not thereafter be used for any other purpose.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. Notwithstanding Condition 1, 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: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowzers, 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). The scheme must 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 and for the life of the works associated with the development.

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.

7. Prior to occupation of the development a car park management strategy for the site must be submitted to and agreed in writing by the Local Planning Authority. Thereafter the strategy shall be carried out in accordance with the agreed details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

8. Prior to occupation of the development a service management strategy for the site must be submitted to and agreed in writing by the Local Planning Authority. Thereafter the strategy shall be carried out in accordance with the agreed details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

9. Prior to occupation of the development a scheme for the provision of secure undercover cycle parking must be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the cycle parking shall be implemented in accordance with the approved details before the development is occupied.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

10. Prior to occupation of the development a Framework Travel Plan shall submitted to and approved by in writing the Local Planning Authority. The Travel Plan shall include an undertaking to conduct travel surveys to monitor whether the Travel Plan targets are being met. Thereafter the development shall be operated in accordance with the approved travel plan.

Reason: To encourage sustainable transport; having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

11. Prior to the construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any source in accordance with NPPF.

12. Prior to occupation of the development a noise scheme for acoustic glazing to be provided to the hotel bedrooms must be submitted to and approved in writing by the Local Planning Authority. Acoustic glazing must be provided in accordance with BS8233 and the World Health Organisation community noise guidelines to ensure that all bedrooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB. The approved scheme shall be implemented prior to the occupation of the development and retained thereafter.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

13. Prior to the operation of any external plant and equipment installed at the premises a noise scheme must be submitted in accordance with BS4142 to determine the current background noise levels for the representative time when the plant is operational. The rating level for all plant must not exceed the current background noise levels. Within one month of installation of the plant and equipment acoustic testing must be undertaken to verify compliance with this condition and the results of the testing submitted to and approved in writing by the Local Planning Authority prior to operation of the plant (other than for testing purposes). Thereafter the scheme shall be implemented and maintained in accordance with the agreed details.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

14. All plant and machinery shall be enclosed with sound insulation materials in accordance with a scheme to be submitted to and agreed by the Local Planning Authority in writing and the plant and machinery shall not be used until the approved soundproofing has been implemented.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

15. There shall be no deliveries or collections outside the hours of 07:00 and 23:00 on any day.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

16. Noise No Tannoys Externally Audible NOI002 *

17. External seating areas shall not be used outside the hours of 08:00 to 21:00 hours.

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

18. Prior to occupation of the development a noise management scheme for all external seating and smoking areas to minimise external noise late at night must be submitted to and agreed by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the agreed details.

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

19. No development shall take place above damp proof course level until details of the height, position, design and materials of all chimney and extraction vents to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

20. No development shall take place above damp proof course level until details of the air ventilation systems have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied in accordance with the approved details and permanently retained.

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

26. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

27. Notwithstanding the details to be submitted pursuant to condition 2, prior to occupation of the development details of all fences, gates, walls or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: To secure a satisfactory external appearance, having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

28. Notwithstanding the details to be submitted pursuant to condition 2, prior to the construction of the development above damp proof course level, a schedule and/or samples of construction and surfacing materials and finishes shall be submitted and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory external having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

29. The details to be submitted as part of the reserved matters application shall include a fully detailed tree survey, Arboricultural Impact Assessment (AIA) and associated Tree Protection Plan and Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 Trees in Relation to Construction-Recommendations.

Reason: To ensure that important features are protected and retained and to ensure a satisfactory standard of landscaping in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

30. Prior to commencement of development or any site clearance works there shall be submitted to the Local Planning Authority for their approval a scheme showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a vertical and horizontal framework of scaffolding or post and rail fencing, to a height of 1.5 metres, well braced to resist impacts and supporting either cleft chesnut pale or chain link fencing and sited at a minimum distance from the tree equivalent to the crown spread. No site clearance works or the development shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- a) There shall be no changes in ground levels;
- b) No materials or plant shall be stored;
- c) No buildings or temporary buildings shall be erected or stationed;
- d) No materials or waste shall be burnt;
- e) No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority, and
- f) In carrying out the development, the developer shall conform with the recommendations in BS 5837:2012 in relation to the protection of trees during construction.

Reason: This needs to be pre-commencement condition to ensure that important features are protected and retained in the interests of amenity and to ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

31. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted as part of the details of the proposed development as required by condition number 2; above.

The landscaping scheme shall be implemented in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard (4428:1989). The scheme is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Any trees, shrubs or wildflower areas that fail or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

32. No vegetation removal shall take place 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: In the interest of biodiversity and landscaping having regard to policy DM5.5 and DM 5.9 of the North Tyneside Local Plan 2017.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

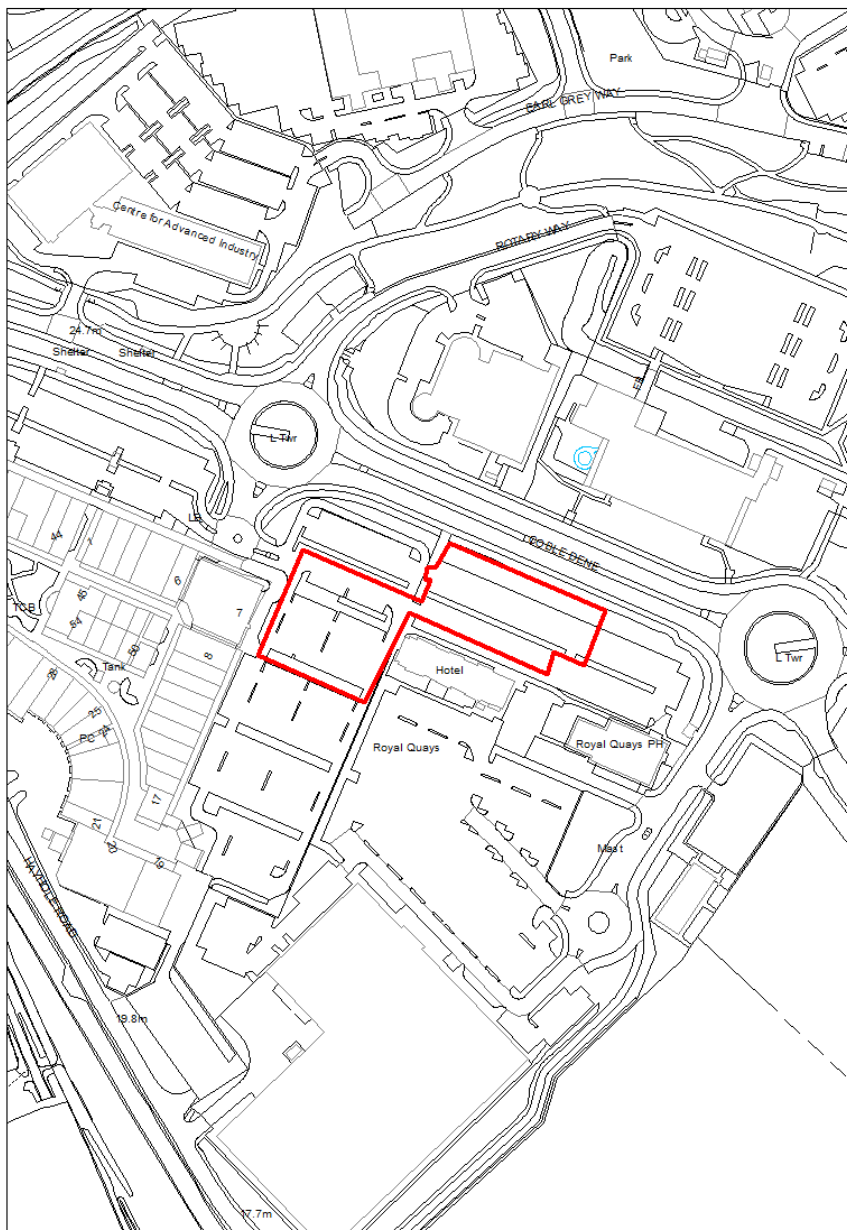
Building Regulations Required (I03)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)



Application reference: 20/00632/OUT

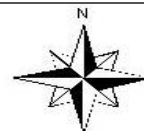
Location: Management Suite, Royal Quays Outlet Centre, Coble Dene, North Shields

Proposal: Outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking

Not to scale

Date: 22.07.2020

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Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This is an outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking. The site is located within the existing shopping centre and whilst some parking spaces will be lost as a result of the development, previous surveys of the site have demonstrated ample parking for the needs of the site and that the proposed use can be accommodated in the retained level of parking. The site also has reasonable links with public transport and conditional approval is recommended.

1.3 Recommendation - Conditional Approval

1.4 Conditions:

PAR03 - Veh: Parking, Garaging, Loading (OUT)

SIT07 - Construction Method Statement (Major)

Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. This strategy shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a service management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. This strategy shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a scheme for the provision of secure undercover cycle parking shall be submitted to and agreed in writing by the Local planning Authority. This scheme shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a Framework Travel Plan shall submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether the Travel Plan targets are being met.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

1.5 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

2.0 Local Lead Flood Authority

2.1 I have carried out a review of planning application 20/00632/OUT. As the surface water drainage from the development will discharge into a tidal section of the River Tyne, the increase in the overall impermeable area due to the loss of soft landscaping will not impact on the surface water drainage network or the receiving waterbody. As a result I can confirm I have no objections to the proposals.

2.2 I would recommend a condition is placed on the application if successful requiring a copy of the detailed drainage design to be submitted to the LLFA for approval before works commence on site.

3.0 Manager of Environmental Health (Pollution)

3.1 I have no objection in principle to this application but would recommend conditions to address construction hours and dust mitigation during the construction phase of the development.

3.2 A noise scheme will be required to ensure noise arising from any external plant that may be installed is considered e.g. air conditioning units etc, and appropriate mitigation considered to ensure any external plant noise is mitigated for nearest sensitive receptors. The noise assessment must also consider the internal noise for the hotel bedrooms and recommended a glazing scheme to ensure bedrooms achieve a level of 30 dB LAeq for night time.

3.3 I would therefore recommend if planning consent is to be given the following condition to ensure a noise scheme is provided.

3.4 If a commercial kitchen facility is to be installed then conditions will be necessary to require odour controls to be incorporated within the design. The kitchen extraction system should be based upon the DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems".

3.5 If planning consent is to be given I would recommend the following:

Prior to occupation, submit and implement on approval of the local Planning Authority a noise scheme for the acoustic glazing scheme to be provided for the hotel bedrooms. Details of the acoustic glazing to be provided must be in accordance with BS8233 and the World Health Organisation community noise guidelines must be provided to show that all habitable bedrooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms

Prior to the operation of external plant and equipment installed at the premises a noise scheme must be submitted in accordance with BS4142 to determine the current background noise levels for the representative time when the plant is operational. The rating level for all plant must not exceed the current background noise levels. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within

one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.

NO104 this will include details of the noise levels expected to be created by the combined use of external plant and equipment to ensure compliance with the noise rating level.

Deliveries and collections must not be permitted between the hours 23:00 and 07:00 hours.

NOI02

Any external seating area provided must be restricted for use to between 08:00 to 21:00 hours.

Submit for approval and implement a noise management scheme for the hotel with regard to any external seating areas or smoking areas to be provided at the premises, and agreed, to minimise external noise late at night.

EPL01

EPL02

EPL03

EPL04 The applicant shall maintain the odour suppression system as approved in accordance with the details provided by the manufacturer and submitted by the applicant for the purposes of demonstrating compliance with Standard Condition EPL04.

Deliveries and collections to the site to be restricted to 07:00 - 23:00 hours.

LIG01

HOU04

SIT03

4.0 Manager of Environmental Health (Contaminated Land)

4.1 The former use of the site as a railway may give rise to potential contamination. The site overlies a former landfill. There may be the potential for ground gas and contamination. The following must be applied:

CON 001

GAS 006

5.0 Landscape Architect

5.1 Existing Site Context

5.2 The (Royal Quays) shopping outlet and its associated retail, office and leisure units are well serviced by the existing car parking areas and the Coble Dene and Howdon transport corridors. There are occasional semi-mature landscaped zones internally and bordering the perimeter site areas, which along with linear island tree locations and surface treatments in the car parking areas, link together to form a contemporary landscape matrix throughout the site area.

5.3 The application is for a new 70 bedroom hotel development within the ownership boundary of the existing Royal Quays Factory Outlet Centre

5.4 Landscape Comments (Trees and Landscape Design)

5.5 The proposed site area is currently a parking area, rectilinear in shape and occupying intervening space between the existing Premier Inn Hotel and the Coble Dene highway. The proposed site area is bordered by avenues of semi-mature Lime trees located within linear shrub beds, extending around the proposed site area. The building is to be set back from the landscaped perimeter of the Royal Quays Outlet Centre site and will have a same orientation as the neighbouring Premier Inn hotel.

5.6 The proposals will utilise the exiting public highway system surrounding the Royal Quays Outlet Centre. The submitted outline proposals have not given any details of the associated landscape design for the site surrounding the development or how it would impact on existing landscape features. It is not clear from the submitted information if the existing trees within the car park will be retained to the frontage of the new building or new trees are to be planted. Therefore in line with the Council's Local Plan policy DM5.9 Trees, Woodland and Hedgerows, the applicant will need to provide a further details to disclose the loss of any existing landscape assets on site and/or the protection methods required to safeguard their structure during potential construction works.

5.7 The following should be submitted should the application be approved:

- A fully detailed tree survey, Arboricultural Impact Assessment (AIA) and associated Tree Protection Plan and Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 Trees in Relation to Construction-Recommendations
- An indicative landscape scheme or strategy to be submitted in support of the proposed scheme to show both new planting and any associated replacement planting to mitigate for the loss of any trees, within the context of the proposed site area.

6.0 Biodiversity Officer

6.1 The application above is for the development of a new hotel and associated car parking within an area of hardstanding (car parking) at Coble Dene that is not within a designated wildlife corridor or adjacent to any designated wildlife sites.

6.2 The proposal may result in the loss of some small trees within the car park area

and these would need to be replaced as part of any scheme and details submitted through a landscape scheme for the site.

6.3 The scheme is within 6km of the Northumbria Coast SPA and Ramsar site and therefore, is likely to impact the coast as a result of recreational disturbance. Increases in residential and tourist accommodation leads to an increase in recreational activity, which can lead to increased disturbance to the birds associated with the designated sites. The scheme will, therefore, need to comply with the Councils Coastal Mitigation SPD. The SPD provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline

6.4 The following conditions should be attached to the application:-

- In order to address the recreational impacts of the scheme on the Northumbria Coast SPA, an appropriate financial contribution will be required towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD and agreed by the Local Planning Authority.
- A Landscape Mitigation Plan will be submitted to the LPA for approval prior to development commencing on site

7.0 Planning Policy

7.1 The site is currently a car park that serves the Royal Quays Outlet Centre. There is an existing Premier Inn hotel and Brewers Fayre pub immediately to the south of the site and there are a mix of uses to the north and west including residential apartments, office accommodation and leisure uses (gym, trampoline centre, bowling alley and waterpark). The area is largely dominated by its close proximity (approximately 1km) to the River Tyne (south east of the site) and the International Ferry Terminal and Royal Quays Marina. The hotel is principally intended to serve those using the ferry and marina.

7.2 The hotel development is defined as a main town centre use within the National Planning Policy Framework (NPPF), but because it's in an out of centre location the applicant has submitted a sequential assessment in accordance with paragraph 86 of the NPPF and Policy DM3.4 of the Local Plan).

7.3 The sequential assessment considers alternative sites within or on the edge of an existing centre. The applicant has limited the sequential search to Wallsend (4.5km from the site) and North Shields (2km from the site), which are the two closest town centres to the site.

7.4 The overall site area is 8,190m² but the total gross new internal floorspace is 2,769m². The sequential assessment has demonstrated flexibility by lowering the site area by 10% to capture a greater range of sites and considered existing buildings that could be converted. However, no alternative sites that are considered suitable, available or viable were identified.

7.5 The development would create 20 full time employees and capitalise on the economic opportunities of the International Ferry Terminal and Royal Quays Marina. The development would support investment and regeneration of The River Tyne North Bank and be in accordance with Policy S2.1, AS2.5 of the Local Plan (2017).

7.6 Conclusion: The proposed development would be in accordance with Policy S2.1, DM3.4 and AS2.5 of the North Tyneside Local Plan (2017).

8.0 Representations

8.1 1no. representation has been received. This is summarised below:

- Poor/unsuitable vehicular access.
- As a condition of planning consent, please can you ensure that secure indoor cycle parking is available for the cycles of touring cyclists staying overnight.
- Secure cycle parking also needs to be available for staff.

9.0 External Consultees

9.1 North Shields Business Chamber

9.2 Positive investment in North Shields is to be encouraged. There is a hotel very close to this proposal, so we assume that the new hotel will be developed in such a way as to attract customers who might otherwise not stay in the area.

9.3 It is clearly important that the parking needs of the existing hotel and the Outlet Centre be maintained.

10.0 Northumbrian Water

10.1 The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

11.0 Environment Agency

11.1 We have no objection to the application as submitted.

11.2 The area is already heavily developed, including the Royal Quays and another hotel so this proposal is in keeping with what is already there. Based on the information we hold we have no concerns with the application as submitted.

12.0 Northumbria Police

12.1 I have viewed the above application in relation to a new hotel development at Royal Quays Outlet Centre. We have no objections to the planning application and await further details in relation to the development before making any specific comments.

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