



North Tyneside Council

Planning Committee

5 March 2021

To be held on **Tuesday, 16 March 2021** commencing at **10.00 am**. This meeting will be conducted using video conferencing technology and streamed live on the Council's YouTube channel..

Agenda Item	Page
1. Apologies for absence To receive apologies for absence from the meeting.	
2. Appointment of substitutes To be informed of the appointment of any substitute members for the meeting.	
3. Declarations of Interest You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest. You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting. 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.	
4. Minutes To confirm the minutes of the previous meeting held on 16 February 2021.	5 - 8

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<p>5. Planning Officer Reports</p> <p>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.</p>	9 - 14
<p>6. 20/02419/FUL, Hadrian Yard A B & C, Hadrian Way, Wallsend</p> <p>To determine a full planning application from Mr Chris Edwards for the variation of condition 5 (Hours of Operation) - to allow 1no ringer crane to be operated between 07:00 and 19:00 hours only Monday to Sunday and 2no gantry cranes to be operated 24 hours a day Monday to Sunday and variation of condition 6 (Noise Assessment) - remove reference to 'does not exceed the background noise' and replace with 'does not exceed the daytime background noise level by more than +5dB', of planning approval 16/01595/FUL.</p>	15 - 36
<p>7. 20/01181/FUL, Centurion Park Golf Club, Rheydt Avenue, Wallsend</p> <p>To determine a full planning application from Harrison Golf and Leisure Newcastle Ltd for construction of a driving range with associated parking, including ancillary sports bar/restaurant, pro shop, golf academy, golf club changing facilities, and function rooms, creation of a new vehicular access and reconfiguration of Wallsend Golf Course.</p>	37 - 124
<p>8. 20/01563/FUL, 11 Spanish City Plaza, Whitley Bay</p> <p>To determine a full planning application from Carlton Club Ltd for the redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations.</p>	125 - 154
<p>9. 20/01564/LBC, 11 Spanish City Plaza, Whitley Bay</p> <p>To determine an application for listed building consent from Carlton Club Ltd for the redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations.</p>	155 - 168

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<p>10. 20/00604/REM, Howdon Green Industrial Estate, Norman Terrace, Wallsend</p> <p>To determine a reserved matters application from Mr Ken Haldane pursuant to outline planning approval for residential development for 83 dwellings including details of layout, scale, appearance and landscaping of the site.</p>	<p>169 - 202</p>
<p>11. 20/02057/FULH, 6 Eastfield Terrace, Benton</p> <p>To determine a full householder planning application from Modo Bloc for a two storey extension to the east of the property and single storey extension to the south.</p>	<p>203 - 216</p>
<p>12. Exclusion Resolution</p> <p>The Committee will be requested to pass the following resolution:</p> <p>Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act.</p>	
<p>13. 18/00881/FUL, Land at Backworth Business Park, Ecclestone Close, Backworth</p> <p>To review the Authority's decision in respect of a full planning application for construction of 67 residential dwellings (C3) and 14 No. B1, B2 & B8 commercial units totalling 650 sqm, with associated road infrastructure, car parking spaces, open spaces, gardens and landscaping, in response to an appeal lodged by the applicant's, Northumberland Estates.</p>	<p>217 - 224</p>

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

Planning Committee

Tuesday, 16 February 2021

Present: Councillor F Lott (Chair)
Councillors K Barrie, T Brady, L Darke, S Graham,
M Green, P Richardson, W Samuel and J Stirling

Apologies: Councillors B Burdis and F Weetman

PQ129/20 Appointment of substitutes

There were no substitute members.

PQ130/20 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ131/20 Minutes

Resolved that the minutes of the meeting held on 15 December 2020 be confirmed and signed by the Chair.

PQ132/20 Planning Officer Reports

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

PQ133/20 20/01582/FUL, Land South of Elton Street East, Wallsend

The Committee considered a report from the planning officers, together with two separate addendum circulated prior to the meeting, in relation to a full planning application from Assura Aspire Ltd for construction of new medical centre with associated clinical support offices, parking, landscaping and associated works.

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

Members of the Committee asked questions of officers and made comments. In doing so the Committee gave particular consideration to:

- a) the likely impact of the proposed development on car parking in the area and the local highway network;
- b) the rationale of the proposal to amalgamate and relocate two existing medical centres into the new facility;
- c) the proposed condition requiring the applicant to submit to the Council for approval a

- landscaping scheme which would include details of the type of planting; and
d) the suitability of the site for use as a medical centre.

(Councillor K Barrie indicated that as he had temporarily lost connection with the meeting during the planning officer's presentation he would take no part in the voting and decision making.)

Resolved that (1) the application be permitted subject to the conditions set out in the planning officers report and incorporating the amendments set out in the addendums to the report;

(2) the Head of Law and Governance and the Head of Environment, Housing and Leisure be authorised to undertake all necessary procedures under Section 278 of the Highways Act 1980 to secure the following highways improvements:

- i. Upgrade of existing footpaths abutting the site
- ii. Alterations to parking bays abutting the site
- iii. Associated drainage
- iv. Associated street lighting
- v. Associated road markings
- vi. Associated signage
- vii. Associated Traffic Regulation Orders

(3) the Head of Law and Governance be authorised to undertake all necessary procedures to formally close all roads and footways within the site that are no longer required under Sections 247 and 257 of the Town and Country Planning Act 1990.

(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 and appearance of the area, car parking, the local highway network, trees and ecology.)

PQ134/20 20/01271/FUL, 2 Eastern Villas, Springfield Park, Forest Hall

(Councillor M Green joined the meeting at this point.)

The Committee considered a report from the planning officers in relation to a full planning application from Springfield Park Holdings SPV1 Ltd for change of use of a vacant former care home to provide 11 no. residential apartments with associated parking, landscaping and other associated infrastructure.

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

Members of the Committee asked questions of officers and made comments. In doing so the Committee sought clarification on the amount of the proposed contribution towards coastal mitigation when officers confirmed it would be £1,661. Members asked officers to ensure that, should the application be permitted, the developers adhere to the permitted construction hours.

Resolved that (1) the Committee is minded to grant the application subject to completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990, the conditions set out in the Planning officer's report and the addition, omission or amendment

of any other conditions considered necessary; and
(2) the Head of Housing, Environment and Leisure be granted delegated authority to determine the application following the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following;

- i. Ecology and Biodiversity - £1,100 towards habitat creation/mitigation and footpath improvements at Springfield Park.
- ii. Equipped area for play - £7,700 towards equipped play sites in the vicinity of the development in the north west of the borough.
- iii. Primary Education - £25,000 towards increase in capacity in either existing or new provision.
- iv. Employment and Training - £3,000 towards delivering employability interventions to upskill local residents.
- v. Coastal Mitigation £1,661 towards coastal mitigation.

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PLANNING COMMITTEE

Date: 16 March 2021

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.

**PLANNING APPLICATION REPORTS
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- 6 20/02419/FUL Wallsend**
Hadrian Yard A B and C Hadrian Way Wallsend Tyne And Wear NE28 6HL
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- 7 20/01181/FUL Northumberland**
Centurion Park Golf Club Rheydt Avenue Wallsend Tyne And Wear NE28 8SU
- 8 20/01563/FUL Whitley Bay**
11 Spanish City Plaza Whitley Bay Tyne And Wear NE26 1BG
- 9 20/01564/LBC Whitley Bay**
11 Spanish City Plaza Whitley Bay Tyne And Wear NE26 1BG
- 10 20/00604/REM Riverside**
Howdon Green Industrial Estate Norman Terrace Wallsend Tyne And Wear
- 11 20/02057/FULH Benton**
6 Eastfield Terrace Benton NEWCASTLE UPON TYNE NE12 8BA

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Application No: 20/02419/FUL Author: Julie Lawson
Date valid: 21 December 2020 ☎: 0191 643 6337
Target: 22 March 2021 Ward: Wallsend
decision date:

Application type: full planning application

Location: Hadrian Yard A B And C, Hadrian Way, Wallsend, Tyne And Wear, NE28 6HL

Proposal: Variation of condition 5 (Hours of Operation) - to allow 1no ringer crane to be operated between 07:00 and 19:00 hours only Monday to Sunday and 2no gantry cranes to be operated 24 hours a day Monday to Sunday. Variation of condition 6 (Noise Assessment) - remove reference to 'does not exceed the background noise' and replace with 'does not exceed the daytime background noise level by more than +5dB', of planning approval 16/01595/FUL

Applicant: Mr Chris Edwards, C/o Agent Smulders Projects UK Hadrian Way Wallsend NE28 6HL

Agent: Mr James Cullingford, Lambert Smith Hampton 41-51 Grey Street Newcastle Upon Tyne NE1 6EE

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issue for Members to consider is the impact of the variation of conditions 5 and 6 on the amenity of existing residents.

2.0 Description of the Site

2.1 The application site is an existing industrial site measuring over 18 hectares. The site is operated by Smulders and specialises in offshore construction.

2.2 There is residential development to the north of the wider site at Hadrian Mews residential estate and to the south is the River Tyne. To the east is Willington Gut. Point Pleasant Industrial Estate, and other light industrial and commercial developments and housing are to the north/north-east. The site is bound to the west by the Oceania Business Park/Industrial Estate and residential properties on Railway Terrace to the north-west.

3.0 Description of the Proposed Development

3.1 The application is for a variation of two conditions of planning approval reference 16/01595/FUL. That consent granted permission for one ringer crane and two gantry cranes. Conditions 5 and 6 currently state the following:

5. The 2no gantry cranes and 1no ringer crane are to be operated only between 07:00 - 23:00 hours Monday to Sunday.

Reason: To protect the occupants of nearby residential properties from noise disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

6. Prior to the operation of the 2no gantry cranes and 1no ringer crane a noise scheme must be submitted to and approved in writing by the Local Planning Authority in order to assess the impact of crane movement and overloading and uploading of goods. The noise assessment shall include for a re-assessment of the existing daytime background noise levels, without the cranes operating, at the boundary of the nearest sensitive residential premises about Railway Terrace and Coquet Gardens and Alwin Close and should be carried out at different periods of the day early morning, daytime and late evening. The noise assessment shall be carried out in accordance with BS4142, and appropriate mitigation measures taken where necessary to ensure the rating level of the cranes does not exceed the background noise.

Reason: To protect the occupants of nearby residential properties from noise disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

3.2 The applicant is seeking to vary condition 5 to allow the ringer crane to be operated between 07:00 and 19:00 hours only Monday to Sunday and the two gantry cranes to be operated 24 hours a day Monday to Sunday. A variation of condition 6 is also proposed to remove reference to 'does not exceed the background noise' and replace with 'does not exceed the daytime background noise level by more than +5dB'.

4.0 Relevant Planning History

17/00242/FUL - Removal of condition 5 of application 16/01595/FUL - operating hours of cranes – withdrawn

16/01595/FUL - Erection of 2no gantry cranes and 1no ringer crane – permitted 13.01.17

09/00937/FUL: Hadrian West Yard: Change of use from use class B8 (storage or distribution) to use class B2 (general industrial) with no operational development. S106 glazing to Railway Terrace. Permitted 12.06.09

09/00868/CLPROP: Hadrian West Yard: Use of the site for the fabrication, assembly, installation, decommissioning and repair services to onshore and offshore traditional and renewable energy projects. Refused 01.05.09

09/00867/CLPROP: Amec Hadrian Yards A and B: Use of the site for the fabrication, assembly, installation, decommissioning and repair services to

onshore and offshore traditional and renewable energy projects. Approved
28.04.09

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 issue for Members to consider is the impact of the variation of conditions 5 and 6 on the amenity of existing residents.

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 Impact on Residential Amenity

8.1 The NPPF states that the planning system should contribute to the environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of noise pollution. Paragraph 123 of NPPF states that planning decisions should aim to avoid giving rise to significantly adverse impacts on health and quality of life as a result of new development.

8.2 DM1.3 'Presumption in Favour of Sustainable Development' 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 through the Development Management process and application of the policies of the Local Plan.

Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole; or
- b. Specific policies in the NPPF indicate that development should be restricted.

8.3 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. In accordance with the nature of development those proposals should:

- a. Contribute to the mitigation of the likely effects of climate change, taking full account of flood risk, water supply and demand and where appropriate coastal change.
- b. Be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.
- c. Make the most effective and efficient use of available land.
- d. Have regard to and address any identified impacts of a proposal upon the Borough's heritage assets, built and natural environment; and,
- e. 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.

8.4 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.”

8.5 The site is currently used to construct metal structures to act as a mounting base for wind turbines operating out at sea. The application is for a variation of two conditions of planning approval reference 16/01595/FUL. That consent granted permission for one ringer crane and two gantry cranes. Consent reference 16/01595/FUL allows the ringer and gantry cranes to be operated between the hours of 07:00 - 23:00 Monday to Sunday. The applicant is seeking to reduce the operating hours of the ringer crane to 07:00 – 19:00 Monday to Sunday and to remove the restriction on the operating hours of the gantry cranes to allow them to be operated 24 hours a day Monday to Sunday. The application also seeks to allow an increase in the daytime noise level restriction for the operation of the cranes from background noise level to an increase by 5dB between the hours of 7am to 7pm.

8.6 Objections have been received to the application from residents of the housing estate to the north of the site (Hadrian Mews) and from residents of Railway Terrace to the north-west. The objections refer to noise complaints as a result of activity at the site and object to the current application on the grounds that it will result in an increase in noise from the site.

8.7 Two noise assessments have been submitted with the application: a Ringer Crane Noise Assessment and a Gantry Crane Noise Assessment. The surveys state that most operations conducted on site are related to metal fabrication, including the cutting and welding of metal and the loading of the finished product onto barges using a ringer crane. These operations can often occur at ground level and at heights exceeding 12m. To conduct this work at height, scissor lifts, telehandlers and cranes are often used as a platform for the metal fabricators. It is common for multiple operations to occur on one structure.

8.8 There are no hours of use restrictions related to the wider operation of the site. The established uses on the site relates to industrial development.

8.9 The Manager of Environment Health has advised that complaints have been received regarding operational noise from the yard and that a statutory notice was served in 2017 on Smulders due to noise issues from the existing work activities occurring at night from the yard predominantly from yard B which faces the residential development known as Hadrian Mews. This arose due to the large proportion of the work being carried out in an open yard and the noise arising from alarms on vehicles and contact noise from night time movement of metal against concrete. The notice imposes a night time (11pm to 7am) noise limit for activities at the yard to ensure activities, when measured over a 5 minute LAeq, to not exceed the background by more than 5 dB (A) or 45 dB(A), whichever is the greater, and to ensure no activities at night exceed the maximum noise level of 60 dB(A) when measured at the residential properties at Coquet Gardens. This notice still applies.

8.10 The Manager of Environment Health has viewed the noise reports for the gantry crane and the ringer crane. The noise report has considered the use of the cranes based on a BS4142 assessment. No consideration of associated noise has been taken into account for the assessment, it is based solely on the noise from the operation of the cranes in isolation, although noise will arise from other sources such as the movement of vehicles, plant etc. that is necessary as part of the crane operation.

8.11 The Manager of Environment Health advises that the noise assessment for the ringer crane appears to assume continuous use during the period 0700-1900 hours. This would be considered worst case and it is unlikely that the ringer crane would be used continuously. Given that the average background LAeq is around 53-56 dB it is considered that the overall noise impact from the operation of the ringer crane during the day would not result in significant adverse impacts for nearby residents.

8.12 The gantry noise assessment gave an overall rating level during the night of 37 dB and result in negligible noise impacts at the nearest sensitive receptors. The noise abatement notice specified a level of +5dB above background or 45 dB(A) for night-time operations and the operation of the gantry crane will result in noise levels well below the noise levels stipulated by the abatement notice. It is therefore considered that the operation of the gantry crane will not exceed the existing background noise level during the night and therefore the variation of condition 5 to permit the use of this crane is acceptable, as its use would not result in significant adverse impacts for neighbouring residential properties.

8.13 The Manager of Environment Health has advised that she has no objections to the variation of condition 5 for the hours of operation of the gantry crane to permit 24-hour use and use of the ringer crane between 0700-1900 hours and variation of condition 6 as it has been demonstrated that the operation of the cranes will not result in significant adverse impacts on existing neighbouring residential premises. A condition is proposed which stipulates noise levels and to prevent the noise levels of the cranes from exceeding the stipulated daytime background noise levels by +5dB between 07:00 and 19:00 and to not exceed the stipulated background noise levels at any other time. This ensures that any further increase in the background noise levels over time will not thereby allow an increase in the noise from the crane activity.

8.14 Members need to consider whether the removal of the condition would have a detrimental impact on the nearby residential and business occupiers. It is officer advice that the variation of conditions is acceptable in terms of impact on amenity.

9.0 Local Financial Considerations

9.1 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.

10.0 Conclusion

10.1 Members need to consider whether the proposal will have a detrimental impact on the amenity of nearby occupiers. It is officer advice that the variation of conditions 5 & 6 is acceptable.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development shall be carried out in accordance with the following approved plans:

- Site location plan
- Crane elevations
- Crane locations

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

2. The ringer crane shall only be operated between the hours of 07:00 and 19:00 hours Monday to Sunday.

Reason: In the interest of residential amenity with regards to policy DM5.19 of the North Tyneside Local Plan 2017.

3. The rating level of the cranes shall not exceed the daytime background noise levels set out below by more than +5dB between 07:00 and 19:00 and shall not exceed the night time background noise levels set out below at any other time:

Location	Background noise level LA90	
	Day	Night
Railway Tce	45	37
Coquet Gardens	44	35
Alwin Close	44	34

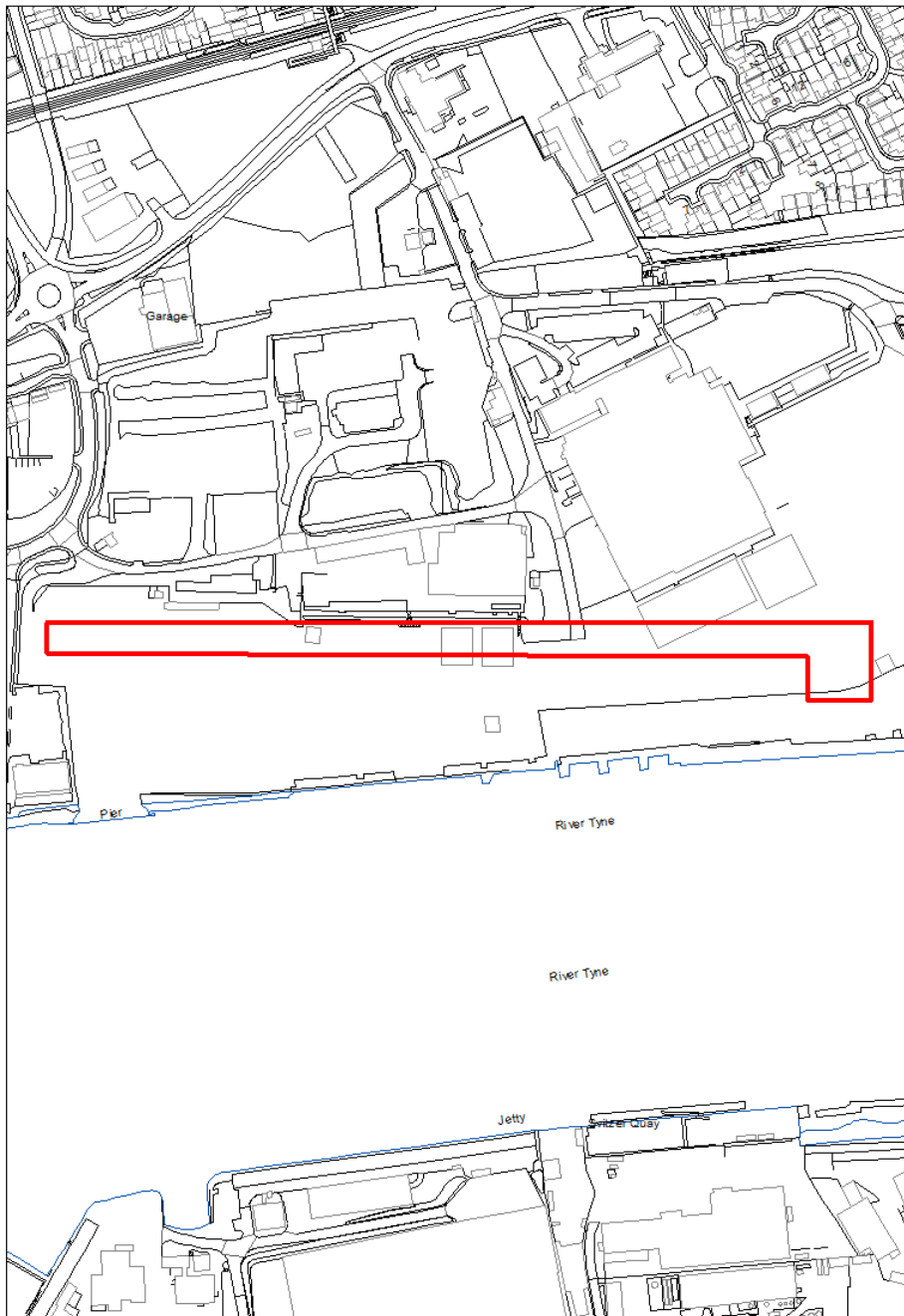
Reason: In the interest of residential amenity with regards to policy DM5.19 of the North Tyneside Local Plan 2017.

4. The cranes shall include dual fitting medium intensity red steady obstacle lights to be fitted to the top of the cranes and the lights arranged so that they indicate the highest points or edges of the cranes relative to the crane surface.

Reason: In the interests of aviation safety.

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 Paragraphs 186-187 of the National Planning Policy Framework.



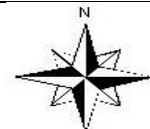
Application reference: 20/02419/FUL

**Location: Hadrian Yard A B And C, Hadrian Way, Wallsend, Tyne And Wear
 Proposal: Variation of condition 5 (Hours of Operation) - to allow 1no ringer crane to be operated between 07:00 and 19:00 hours only Monday to Sunday and 2no gantry cranes to be operated 24 hours a day Monday to Sunday. Variation of condition 6 (Noise Assessment) - remove reference to 'does not exceed the background noise' and replace with 'does not exceed the daytime background noise level by more than +5dB', of planning approval 16/01595/FUL**

Not to scale

Date: 04.03.2021

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Consultations/representations

1.0 Internal Consultees

2.0 Environmental Health (Pollution)

2.1 The site is located in close proximity to residential properties at Railway Terrace, Derwent Way, Alwin Close and Coquet Gardens, with rear gardens of properties overlooking into the yard.

2.2 Historically, complaints have been received regarding operational noise from the yard. A statutory notice was served in 2017 on Smulders due to noise issues from the existing work activities occurring at night from the yard predominantly from yard B which faces the residential development known as Hadrian Mews. This arose due to the large proportion of the work being carried out in an open yard and the noise arising from alarms on vehicles and contact noise from night time movement of metal against concrete. The notice imposes a night time noise limit for activities at the yard to ensure activities, when measured over a 5 minute LAeq, to not exceed the background by more than 5 dB (A) or 45 dB(A), whichever is the greater, and to ensure no activities at night exceed the maximum noise level of 60 dB(A) when measured at the residential properties about Coquet Gardens. This notice still applies.

2.3 I have viewed the noise reports for the gantry crane and the ringer crane. The noise report has considered the use of the cranes based on a BS4142 assessment. No consideration of associated noise has been taken into account for the assessment, it is based solely on the noise from the operation of the cranes in isolation, although noise will arise from other sources such as the movement of vehicles, plant etc. that is necessary as part of the crane operation. The noise assessment for the gantry crane has used background noise levels from monitoring carried out in October 2018 which are slightly lower noise levels than the noise report provided for the ringer crane, which is based on noise monitoring carried out in June 2018. Had a medium of both monitoring data sets been used this would have resulted in a maximum 2dB difference to the noise rating level for both the gantry and ringer crane for daytime use. Overall this would have resulted in the ringer crane being +5 dB above the background at Coquet Gardens.

2.4 The noise assessments used representative locations at the boundary of the site to assess the background. This was not unreasonable in that there was no site activity occurring at the time of the monitoring that would have influenced the background noise levels. It would appear that other industrial noise in the area influenced the higher daytime background noise levels for Alwin Close and Coquet Gardens. The ringer crane noise report uses background noise monitoring data from January 2017 for Railway Terrace, that are higher than those provided in the Gantry noise report. Review of the noise assessment for the planning application 16/01595/FUL confirmed that the daytime background noise levels from monitoring in 2012 was 50 dBLA90 for Railway Terrace. It is unclear as to why the lower daytime background noise levels from October 2018

was not used, but the overall noise impact at Railway Terrace from the use of the ringer crane would still be negligible.

2.5 The noise assessment for the ringer crane appears to assume continuous use during the period 0700-1900 hours. This would be considered worst case and it is unlikely that the ringer crane would be used continuously. Given that the average background LAeq is around 53-56 dB it is considered that the overall noise impact from the operation of the ringer crane during the day would not result in significant adverse impacts for nearby residents.

2.6 The gantry noise assessment gave an overall rating level during the night of 37 dB and result in negligible noise impacts at the nearest sensitive receptors. The noise abatement notice specified a level of +5dB above background or 45 dB(A) for night-time operations and the operation of the gantry crane will result in noise levels well below the noise levels stipulated by the abatement notice. It is therefore considered that the operation of the gantry crane will not exceed the existing background noise level during the night and therefore the variation of condition 5 to permit the use of this crane would not be unreasonable, as its use would not result in significant adverse impacts for neighbouring residential properties.

2.7 I therefore have no objection in principle to the variation of condition 5 for the hours of operation of the gantry crane to permit 24 hour use and use of the ringer crane between 0700-1900 hours and variation of condition 6 as it has been demonstrated that the operation of the cranes will not result in significant adverse impacts on existing neighbouring residential premises.

3.0 Highways Network Manager

3.1 No objections in principle to this proposal.

4.0 Representations

35 objections from 30 addresses on the following grounds:

- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - noise
- Precedent will be set
- Nuisance – fumes
- Out of keeping with surroundings
- Adverse effect on wildlife
- Inadequate parking provision
- Loss of privacy
- Loss of visual amenity
- Poor/unsuitable vehicular access
- Will result in visual intrusion
- I live overlooking the yard. Noise overnight will cause significant disruption to this residential neighbourhood. We have had examples of the noise over the last year when work was occurring in the yard overnight. It prevents us from sleeping and disturbs adults and children alike. Please do not grant permission for this work.
- The site is next to 90 homes in Hadrian Mews plus the Point Pleasant properties.

- The noise outside reasonable working hours would disturb family life and relation time.
- They are not good neighbours.
- The hours they want to operate is not conducive to family life.
- It was established that we have inadequate windows as triple glazing was never installed as Bellway got the council to downgrade to double glazing stating no industrial use was ever likely to happen, yet on complaining the council pretend they never saw this coming and accepted Bellway's lies on the land therefore they are mostly responsible for my hell.
- The noise throughout the day can be horrendous, now they want to move the goalposts and change to match the daytime noise which would mean we would no longer have any control of the noise basically in a nutshell. The parking is a massive issue to me as they park below my bedroom window, sometimes the car alarms go off at all hours and they leave in a noisy procession at 2am in the morning sounding horns and having a whale of a time. The cranes in operations at times have not laid loads quietly and the noise can be shocking. They still will not follow working practice and I have video evidence of them not working within the habitat which is causing damage to my windows and car with rust deposits.
- I have no doubt jobs will be heralded as an excuse to pass it through I see no reason to change the level at noise throughout the night and this only makes me fuming and distressed that my life is going to be hell if this is passed as my bedroom backs onto all this nightmare. My home is saturated throughout the day and I cannot leave doors or windows open when in full swing, the windows in my property simply do not support the level of noise now, but at least I get some sleep at night, I will no longer be able to do this if the conditions are changed. Please listen as I have no enjoyment from my home when I cannot sleep from the night shift. Why are they raising the bar in the sound? I have a full DVD of some of the noise in the past before the noise abatement, as this is how my life is going to be yet again when the council approves this, I wish they had to really experience what it is like to actually live here when it is in full swing.
- Also toolbox talks are given every morning and evening and names are given to the men of those who have complained so they know who we are, this I find very uncomfortable. I am actually named in these talks if I complain about the noise, I feel this is very unprofessional and defamatory and totally wrong to do so.
- No proper car parking is available anymore as the car park was taken over for storage etc., so they park below my bedroom and do not leave at a normal time, if it was a pub I would be able to stop this from happening.
- The council simply follow legal procedures and totally ignore the moral and ethical way of would they want their elderly relatives to have to put up with this or their families?
- I have a young child and a very sick partner. The noise levels from previous works has caused a great deal of sleepless and disturbed peace throughout the day and night. On numerous occasions in the middle of the night I have had to call Smulders to ask them to stop with the noise. Yet despite reassurances, the issues continued. I anticipate the same issues again and with no help whatsoever from the council.
- How is this good for the residents of Wallsend? It is not good for the residents of the surrounding area only for the profitable companies that the council support.
- The council has also stated that it will create jobs. How many are actually from the local community, or UK passport holders in comparison to overseas workers? I would like this information as the Mayor has posted on a public platform making

a statement with regards to the benefit of work opportunities. The previous company had many overseas workers so how does that help the local people with jobs?

- We understand works should be carried out there and support industry in the area. However, working through the night is unfair for us residents already living here and will adversely affect our lives.

- Living on the estate next to this site you can hear all noise from it. This includes the beeping noise of lifts, hammering of the metal work/welding joints, fizzing noise of the welding and crane noise. Trying to sleep with this noise is going on is a health risk to the community. I and my family very strongly object to this change in planning.

- The petition to change noise levels overnight possibly 7 days a week is not conducive to the residents of this small news. Infants, children and night shift workers live adjacent to this project and already noise levels overnight were previously objected to. It should also be noted that when selling the houses Bellway advised buyers that the only change would be further houses shops and leisure facilities not engineering works.

- The proposed change to through night noise from Smulders yard is totally unacceptable. The noise generated during the current hours of operation is significant and if extended to 24 hours will directly impact on personal health and well-being of every resident in Hadrian Mews.

- The noise from the yards can be heard from our garden and our house. In the day this noise is very intrusive with constant noise. This level of noise will be totally unacceptable at night as people will be disturbed in the whole of the estate. At the moment the yard is not running and it is amazing how much quieter it is.

- We live on the Hadrian Mews estate and our home backs on to Hadrian Yard. While we do not object to the yard being used at all, we do object to the noise, especially at night. My children's bedrooms back onto the yard and the noise levels throughout the night were often unacceptable. I could be home all day and not hear much noise from the yard at all but then the night shift would start (as my youngest was getting settled in bed) and the noise levels would become ridiculous. They seemed to save the shot blasting/ welding and banging of metal on metal for throughout the night which would produce unacceptable levels of noise. Our white window frames and doors are covered in rust because they did not use any type of cover/protection. We found the workers leaving/arriving a problem too. They would shout to each other, beep their horns etc. They used a gravel area just below our homes to park which was very noisy, it would be useful if the surface could be changed or the original car park (now storage) was put back into use. We will be happy to see the yard being used again, we would just like to be able to enjoy our home and garden at the same time.

- Smulders struggle to operate their business within the current rules, so any extension of the working hours would only exacerbate local residents' misery. Many times since 2019 the start of the Moray East wind farm contract we have either been disrupted or had to get out of bed to pick up the phone to contact the site. Smulders seem to forget people are trying to sleep only meters away from their site, we too need sleep so that we can function at our place of work the next day. Not only do we suffer from noise pollution, but our properties are showered in ferrous particles from the site carried on the wind, whilst Smulders continue to weld and grind metalwork outside without any means of dust extraction. our

properties have orange staining on the windows and doors which is embedded and our vehicles paint work is also coated in rust particles eating into the topcoat. What is this doing to our health?

- There is already a fair bit of noise and residents of this estate have complained frequently. There are children on this estate and we cannot leave the windows open in the summer to keep bedrooms cool because of the noise from the work people and machinery, the only current positive is it doesn't last all night.
- The particles from welding and other work is damaging cars and property, this would just allow for yet more damage and pollution in the area. We have been to the site and spoke with managers regarding noise and disturbance.
- Noise and air pollution is unacceptable.
- I have no problem with work being brought into the area but as a local resident I strongly object to increased noise when working at night. For the last few months of the latest projects standards dropped considerably - welding work was done without the protective screens, a lot more night work was done than was allowed, more dirt and waste came into the estate, workers parked their cars in the estate, there seemed to be an influx of foreign/cheap labour, the staff didn't always adhere to Covid regulations. This work causes enough problems for local residents who are very tolerant without increased noise at night. During last summer when work wasn't meant to be done at night, it could be heard all night long, which is not fair for adults but even worse when we have a young child whose sleep is disturbed.
- I am very concerned about the noise impact so close to residential homes. It is not only the noise of the cranes that you need to assess but also the impact of the workman noise so close to a residential area. I have suffered for the last two years with the noise of the workmen nearby talking through the night, beeping their horns at each other and the noise of traffic going in and out of the site it has been nice to have a reprieve from this over the last couple of months since work has stopped there.
- I feel the council should never have granted planning permission to build houses on my estate as I feel we live in the middle of an industrial estate. When I bought this property in November 2013 my father checked with the council and they assured us there was no work planned in the area since then I have endured years of work carried out on the building of wind turbines which are such an eye sore they have to have devalued my home if I ever come to sell.
- I feel to allowing this business to operate during the night to day time noise levels so close to residential property would affect sleep, especially our children's.
- I strongly object to any further activity at the site.
- (Resident of Railway Terrace): Noise from Hadrian Yard C (and to a lesser extent B) is heard easily by our houses. Any noise outside of normal business hours has adverse effects on our quality of life: an adverse effect on our ability to live outside of our houses with any degree of relaxation as the level of noise experienced is high enough to require raised voices for conversations and to intrude on quiet work such as gardening; a need to close windows for e.g. telephone conversations; the need for all doors and windows to remain closed, particularly during sleeping hours. The level of noise reaching our properties is significant and loud enough to prevent sleep for an average sleeper; an inability for me to cool my house during the summer by opening doors and windows during hot evenings/nights as the noise cost of doing so is too high. The current level of daytime noise appears to be increasing and already sometimes causes

high frustration during the day. This proposed variation is therefore very significant. I object to the proposed variation in condition.

- As a resident of Hadrian Mews, I strongly object to any proposal to extend any licenses/planning applications in respect of Hadrian's Yard A, B or C. I am fed up of hearing the yards were there before the estate. In order for planning approval to be granted for the estate all those years ago it was deemed these works would be scaled back and remain that way. You can't now move the goal posts. We pay a reasonable amount in council tax which should afford us the ability to use our outdoor space when the weather is nice without constant noise or not being able to hear the person next to us talk. Equally I'm aggrieved that my family are frequently disturbed during the night. You cannot have your cake and eat it!! You granted planning permission for the estate so you have a duty of care to every resident to reject this application.

- I'd like to express my concern regarding the planning request for 24 hour operation of cranes. As the home owner of 20 Alwin Close I don't think that is a reasonable request. I'd almost certainly have to replace my windows with triple glazing and it would deny me the option of ever opening my windows during warm evenings. I know it's even worse for my neighbours who back directly onto the Tyne.

- With respect to condition 5, the movement of the gantry cranes is always heard regardless of day or night operation. The submitted gantry crane noise assessment is over two years ago and no longer indicative of current yard operations. Additionally, paragraph 3 of page 14 section 5.4 is entirely subjective and has no founding in fact.

- As a resident whose home borders the yard, I can testify the alarm bell is always audible.

- With respect to condition 6, the desire is to render null and void, H13 of the North Tyneside Council Unitary Development Plan 2002. H13 seeks to protect residents from any changes to the residential amenity that will have an adverse effect, in this instance noise. Smulders are asking to be allowed to create as much noise as they desire, at any hour with impunity. I would implore our councillors to consider not only the above objections, but to also consider the following statement in reaching a decision.

- Smulders operate a 24/7 facility. They have a blatant disregard to obeying the rules on daytime and more specifically night-time noise and operate on what they know they can get away with. You are awoken in the early hours of the morning by noise coming from the yard. By the time you pull yourself together, get up, put on clothes, gather a camera to record the evidence, and get outside to capture the event, it may have ceased. You may wait awhile, but you're tired, you want to sleep, so you go back to bed, now fully awake and angry. Sometime later, it starts again. You can't spend the night chasing the cause, you may or may not be able to capture the event. But what if you do? Reporting it to Environmental Health is all but futile, they do not have the resource to monitor, and the unhelpful advice offered to "Contact Smulders Security" and inform them of the noise is totally unhelpful. Why should I have to engage with Smulders and ask them to cease and desist. That is what we have a council for, but sadly, residents are left to battle through themselves. Smulders can never have enough. Whatever concessions are given to them they will always want more. The more leeway you give them on noise generation, the more they will generate excessive noise. There is no end to this.

- I invite any councillor to visit my home and see and hear for themselves the effect Smulders have on those residents who look out onto the yard from their window. For all the documentation, the one-sided science to promote Smulders own agenda, the reality for residents is entirely different. Come and see for yourself, the experience will give you every reason you need to reject Smulders application.
- I would like to appeal to both variations. My home and garden are directly adjacent to the site. Having operating hours changed as stated, will provide no break to my family with regards to the noise and our privacy. The noise through the day is not likely to be an issue, however at night when there is no daytime background noise, the sound will no doubt be amplified. This is something I noticed in the past and almost felt the need to contact Smulders however, things improved.
- A change to the application with reference to raising the noise level concerns me as my family sleep directly adjacent to the site. It will also have an effect during the summer months when having windows open and accessing my garden during the evening when daytime noise is not present and noise from the yard will be amplified. With reference to the variation in working times, again, this will affect my family's privacy. With living adjacent to the site, structures/cranes will overlook the back of my house and garden. Due to the size of the structures/cranes, my family's privacy will be affected as work-persons will be overlooking my property and garden. The varied hours will mean my family will have no break from work-persons overlooking my home and will have an effect on my family's privacy.
- This application seeks, by stealth, to further erode the ability of local residents to enjoy the amenity of their own homes and gardens, without having to endure unreasonable noise levels.
- Given that Smulders have been working from the facility for some years now, presumably they feel more confident the application will be granted, compared to when they commenced working. The previous application conditions were imposed for a reason - has the applicant provided reasons why they are now seeking to vary the conditions? The adjacent Hadrian Mews development predates the current working by Smulders however the Council since 2009 has at every planning application capitulated in favour of job creation - to the extent of paying J1,603.52 for two of its own officers to spend a night in Brussels in 2016, with a view to attracting investment from Smulders. On this point, I appreciate the 'big picture' in terms of job creation but understand the current workforce at the facility is predominantly of overseas origin - how many UK employees are currently employed at the yard?
- I am particularly concerned at the proposed 24/7 working and if permitted, would remove the last of any protection that local residents have to be able to sleep through the night - something that everyone should be able to take for granted. I am not convinced that the Council's Environmental Health/noise team has the will or capacity to monitor existing and future noise issues - especially if it can be argued that jobs will be put at risk as a result. I note that Smulders feature on the Council's own Invest North Tyneside website with Smulders referring to the Council's help - to quote "They were very eager and very supportive of our move here and we can't thank them enough for their support".
- Will local residents continue to be viewed as 'collateral damage' in favour of job creation? If the application is granted in favour of Smulders, can it really

withstand external scrutiny and/or a legal challenge, given the Council's conflict of interest in this?

- I have been a resident of Hadrian Mews since 2008 and the council gave permission for Bellway to build houses, after the Secretary of State gave permission and houses buyers we told fabrication would be reduced. I have witnessed the planning application for the huge fabrication shed, which would have been an eyesore on the area, which the Council approved, after residents had objected, but thankfully this did not go ahead. With the obvious restart of steel fabrication I would like to make the planning committee aware of our concerns. I have contacted Smulders Yard and complained about the carbon particles and debris on our cars and window frames and garden furniture. I complained about the debris blowing over the estate and he said the wind does not blow over the estate and the debris does not come from the Smulders Yard. While steel fabrication is in progress our cars and many more are being contaminated with carbon deposits from welding and Plasma Arc Burning which turns into rust particles. This takes many hours to remove from our cars, not to mention the Air Pollution and long-term effect of this process. This is totally unacceptable to people living next to the yard and in today's society.

- I have been in touch with Councillor Bell and he tells me officers have been to the estate to inspect cars. I have invited him and officers to come to my address, many times to talk to me and view our cars. At the moment my car and partners car are clear of any rust particles and debris, because there is no steel fabrication in the yard but as soon as fabrication starts we have the problem again. This is my objection and it is not acceptable what will happen when steel fabrication starts.

- We live on the Hadrian Mews Estate and our back garden backs onto the yards. Day and night we have the noise sometimes if in the garden you can't hear yourselves speak. You can't sit in the back garden for the noise and sometimes the smell (depending on the wind) from the welding. The orange rust spots are all over the window and door frames plus the cars.

- We have solar panels on the roof. When Smulders put the big jackets next to our back gardens they over shadowed the panels causing them to shut down. We had a discussion with Smulders and they were moved to the water edge away from the houses.

- We can't put washing out for the orange dust especially when it's windy.

- The men go home at two in the morning and they make a noise with shouting at each other, banging doors and beeping their horns. Some of us have to get up at five in the morning for work. Everyone is entitled to a good night's sleep with fresh air through an open window. We can't all sleep in the front bedrooms even so the noise can be heard at the front even when listening to the TV.

- Excessive noise all hours of the day and night.

- Damage to property - rust particles damaging my property, including window frames and ledges, vehicles and garden furniture. Concerns of the ingestion of these particles.

- Fumes - acrid fumes coming from the yard where you have to shut windows and unable to sit outdoors.

- Welding - being actioned without coverage of the work.

- Smulders do not adhere to any rules set out from the council and we are informed as residents to ring the gatehouse etc. to raise the issue. The issue is the management must adhere to any conditions that the council stipulate and it is not for the residents to flag any shortfalls by poor management.

- The well-being of residents is at risk if this proposal goes ahead. In the past nothing has changed, and Smulders get what they want and the residents get left behind with no thought.
- I live right opposite the Hadrian Yard site, on Railway Terrace, changing the operation of times would provide noise disruption. There's already noise from the Yard during the day, although at times in the evening long ringing like that coming from a phone or alarm can be heard. In relation to The Noise Act 1996, further noise interferes with my right to enjoy my home and also means that it prevents having the windows open.
- During the night there is no background noise, meaning the noise from the Yard is amplified and heard within the house, even with our windows closed, and during the summer months when the windows need to be opened due to the rise in temperature, the noise will be even louder. There has been no account for this, and instead the variation to Condition 6 seeks to instead increase the acceptable noise levels by 5dB.
- Additional noise will affect my ability to enjoy my garden which sits adjacent to the site, as well as the shared areas of the terrace, which myself and neighbours enjoy. The additional noise and extended hours will diminish the opportunity to enjoy my outdoor amenities which provide the essential respite and health benefits for myself and neighbours. It will be dreadful if moving forward I find myself finishing work and unable to enjoy the peace of my garden because of excessive and council-permitted noise.
- I object to the variations proposed and believe they will have an adverse effect on my quality of life if they were to be granted.
- I live opposite the Hadrian Yard site and changing the operation of times would provide no break for my family due to noise disruption. There is already noise that emanates from the Yard during the daytime, which cannot be mitigated as planning has already been granted and business must commence. However, adding this to the evening and through the night would provide no cessation of noise and no opportunity for my family to relax, which I question violates The Noise Act 1996 and interferes with my right to enjoy my home.
- I work from home full time and the noise levels would be damaging for my job as I am in a telephony based role. This would have a complete negative impact on me doing my job. I strongly believe does not give people (private individuals and/or a building firm) permission to annoy neighbours at all hours of the day and night especially when they have to work from home, look after young children and be able to relax without any nuisance. I believe that 'best practicable means' will not be used for the above reasons.
- I have lived on Railway Terrace since 1980. This little street of 10 cottages and separate extensive gardens was built in the late 19th Century to house the railway workers of the nearby station. We are a unique community who cherish our local history and love our homes which nestle within the industrial landscape on this part of the Tyne.
- There is a fine and respectful balance between the quality of life in our little street and the industry that surrounds us. I feel that the proposals of this application would entirely upset this balance and disregard our right to a decent home life outside of the currently designated industrial working hours and noise restraints. It would not only have a hugely detrimental impact on our daily lives but also, of course, on the intrinsic and market value of our homes.
- The proposal of increasing the regulated noise level to 'does not exceed the daytime background noise level by more than +5dB' alarmingly disregards the

impact this will have on people's daily lives, mental well-being and right to family life.

- In addition, many people have to work from home in these exceptional times. My niece has had to conduct her telephone shift work from home. The additional noise would make this untenable.

- I wholeheartedly reject these proposals and strongly recommend that representatives of the council visit us and the site in person to get a comprehensive understanding of where and how we live, and the potentially devastating consequences of their decision.

- Impact on property prices.

- We have a 5-month-old daughter who needs to nap throughout the day. To have cranes operating from 07:00 to 19:00 and 2 cranes operating 24 hours Monday to Sunday would cause a huge disruption. This is exacerbated in the summer months where I have no choice in opening windows to keep her cool and where she will undoubtedly awake due to the noise.

- I find it unfair the 'goal posts' are being changed in favour of business rather than the residents of the community who contribute to towards the council's taxes. Whilst the Yards have been there several years, planning permission was nevertheless granted for the construction of surrounding dwellings, such as Railway Terrace and Derwent Way and I question the reasoning behind such decisions if they are continually impacted by increasing noise in the area.

- Gantries are close to Railway Terrace and I now risk having to endure noise 24/7, affecting my enjoyment of my home, ability to have windows open in summer, and enjoyment of my garden and outside space.

- Increase in potential level of noise. The revision will allow that the noise level at night can be + 5dB of daytime background noise.

- This may create a significant increase in the level of noise pollution experienced at our home and as such may expose us to the well documented, devastating physical and mental health impacts of sleep deprivation due to the resulting disturbance.

- Our objection is focused on the inadequacy of, and deficiencies within, the two noise surveys supporting this application; Gantry Crane Noise Assessment and Ringer Crane Noise Assessment. These surveys are contradictory in their measurements and demonstrate poor methodology, and as such they can carry no value or weight in support of this application as they are unsuitable for accurately assessing the noise impacts we will experience.

- It is worth noting the original conditions applied to 16/01595/FUL and why they were applied by North Tyneside Council:

Reason: To protect the occupants of nearby residential properties from noise disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002

The question begs to be asked - if the Council is minded to approve this application are we, the local residents, no longer in need of, or worth, being protected?

- Gantry Crane and Ringer Crane noise measurements:

a) Table 4-3 Gantry Crane Noise Assessment /Tables 5-5 and 5-8 Ringer Crane Noise Assessment: The noise measurements recorded for Coquet Gardens and Alwin Close in Table 4.3 (Oct 2018) of the Gantry Crane report differ significantly from those provided in the Ringer Crane report Table 5.3 (June 2018), and both of those differ significantly with the measurements recorded in Ringer Crane Table 5-8 (Aug 2019). Note that Railway Terrace was not even measured in the

Ringer report to compare but uses results of an old study from a completely different location than NSR3. Which is the correct set of measurements? This application is highly dependent upon the measurements recorded to argue it is within the noise pollution conditions applied to 16/01595/FUL - it is clear these measurements are unreliable as they cannot even agree with each other so, therefore, logically they cannot be relied upon to deliberate this application's outcome.

- Gantry Crane;

a) 4.1.1 Survey Locations - measurements were taken within the site's boundary not at the actual NSR locations. The assessment says these are 'considered representative of the closest NSRs'. How and by who? What criteria was used to make this 'consideration' and how does it relate to the actual location of the actual NSRs? A 'consideration' is a guess, nothing more. The reason for this guesstimate approach is apparently due to security concerns for the equipment used being left unattended. This is patently nonsense as noise measuring equipment was left unattended in 2016 for another planning application without issue, and further, as has been offered on many occasions in the past, we and other local residents would happily have allowed the equipment to be located safely to, or inside, our properties for the measurement exercise but on these occasions neither SLR or Smulders bothered to ask.

b) The actual locations of the equipment within the site also raise serious questions as to the validity of the measurements recorded. We can only speak for Railway Terrace, but it is clear the 'representative' NSR location bears absolutely no resemblance to our actual property, and so the measurements are worthless to derive the conclusions the assessment promotes. The NSR location is near the foot of a hill between our property and the site apron. Google Earth suggests the apron is 14 metres below our property 'ground' level. Google Earth suggests the measurement to be at least 7 meters below our ground level (if it is located on the hill itself). If the equipment was then "2.5 meters above ground level" it is still 4.5 metres below our ground level - and yet it is supposedly representative of our property! The assessment authors themselves show the assumption built into this report CadnaA Noise Model, and as such its conclusions, is for a 4 metre height to represent a bedroom window. Point 5.2 in the report states that "A receptor height of 4m for night time (representing a bedroom window)" is included in their calculations and conclusions. Overall the NSR location is, at best, 8.5 metres below this assumption height. This data set is sub-standard and not fit for purpose.

c) 4.2.1 Survey Location

The site operations were suspended during the noise measurement exercise. The report admits crane was only operated to 'simulate' typical activities so is again no more than guesswork. This is insufficient to base a decision upon that can have a devastating effect upon local residents' health and wellbeing through lack of sleep - we expect and demand the Council insist on accurate evidence to base any decision upon.

d) 4.2.5 Survey Results

It was "not possible to measure within close proximity of the cooling fan" so data was used from the fan's product data sheet. This is again inadequate and insufficient - the product data sheet will list characteristics for a fan performing at 100% efficiency which is a completely unrealistic assumption for a product, any product, operating in the real world.

e) 5.1 Noise Modelling

The report states that the conclusions reached are a combination of measurements and calculation. We have shown above that the measurements are unreliable in both location choice, methodology and measurement repeatability, a central tenet of scientific studies. Bad data gives erroneous conclusions and it is therefore unavoidable to conclude anything other than that that this report is worthless in its predictions of noise pollution and in its overall conclusions.

- Ringer Crane report

a) 5.1 Daytime Background Noise Survey One - no day-time Railway Terrace measurements performed. This is a failure we demand corrected if we are to be subject to its impact.

b) 5.1.4 Soundscape and Context - the site was operating "at a reduced capacity" and therefore the report is unrepresentative of normal operations.

c) Table 5-10- 5 + 34 minutes only of operation is measured on two occasions. This is a ridiculously low measurement period and far below an acceptable standard to derive an average noise level.

d) 6.2 to 6.6 are all based upon an unreliable information dataset as shown above, and are, therefore, worthless.

e) Even based on unreliable data the report concludes +8dB at NSR 1 and +6dB at NSR 2. This is highly likely to be an underestimate but even at those measurement levels this application will result in an adverse health impact upon the local residents surrounding NSR 1 and 2.

Page 4 clearly states;

Table 4-1 BS 4142:2014+A1:2019, Assessment of Impacts Rating Level minus Background Sound Level Assessment of Impacts

Around +10dB or more - a difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context.

Around +5dB - a difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.

This application should, therefore, be refused by North Tyneside Council to protect the health of those residents.

- Sleep Deprivation: excessive night-time noise will, unavoidably, result in disturbed sleep for local residents. Lack of sleep has been well documented to lead to mental and physical health problems. The negative effects of sleep deprivation impact on almost every area of our psychological and physical health, including an increased risk of stress, anxiety and depression, cancer, heart attacks, hypertension, cancer, dementia, obesity and diabetes. A quiet bedroom commonly has a noise level of 20 to 30dB(A) according to the Glossary of the Ringer Crane Assessment. Should any subsequent increase in noise pollution over existing levels be experienced by local residents due to North Tyneside Council approving this application, and if that then leads to any of them suffering sleep deprivation health impacts, then it is strongly arguable that North Tyneside Council will be liable for legal redress should any resident wish to pursue it.

- This application must be refused until accurate, applicable, consistent, and up to date measurements are provided and assessed independently. These noise measurements must also be 100% independently commissioned by the Council (and paid for by the applicant), conducted at appropriate locations, times and over a sufficient time period to provide an accurate average noise measurement to arrive at definitive assessment.

- In requesting 24 hour operation in this application the applicant seeks to not only make more noise at night but to even exceed the noise levels local people

only currently experience during daytime hours by a further 5dB. This is an outrageous request.

- We strongly advise and urge local resident participation/consultation for these future noise assessments.

5.0 External Consultees

6.0 South Tyneside Council

6.1 No objections in principle, however please take note of the following comments:

Environmental Health (Noise):

Given the separation distance to the nearest residential receptors in South Tyneside, I am satisfied that any controls that are put in place in order to protect residents of North Tyneside, i.e. those in close proximity to the application site, will be sufficient to ensure that there is no negative impact on residential receptors in South Tyneside.

7.0 Tyne and Wear Archaeology Officer

No comments.

8.0 Newcastle International Airport

No objections. Guidance for cranes information supplied.

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Application No: 20/01181/FUL Author: Julie Lawson
Date valid: 8 September 2020 ☎: 0191 643 6337
Target 8 December 2020 Ward: Northumberland
decision date:

Application type: full planning application

Location: Centurion Park Golf Club, Rheydt Avenue, Wallsend, Tyne And Wear, NE28 8SU

Proposal: Construction of a driving range with associated parking, including ancillary sports bar/restaurant, pro shop, golf academy, golf club changing facilities, and function rooms, creation of a new vehicular access and reconfiguration of Wallsend Golf Course. (Resubmission) (Amended and additional information 17.11.20 & 18.11.20) (Additional information 07.01.21)

Applicant: Harrison Golf And Leisure Newcastle Ltd, C/O Agent

Agent: JW Planning Ltd, John Wyatt 41 Marske Mill Lane Saltburn By The Sea TS12 1HT

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Summary of Key Issues and Considerations

1.1 The main issues for Members to consider are:

- a) Principle of development including impact on open space
- b) Assessment of town centre uses
- c) Impact on the amenities of nearby residents
- d) Design and impact on the character and appearance of the area
- e) Landscaping and biodiversity
- f) Highway impacts
- g) Other issues

1.2 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 application site relates to the Centurion Park Golf Club in Wallsend and comprises 40.42 hectares of the existing golf course. The existing golf clubhouse and driving range are not within the application boundary.

2.2 The site is located to the north west of Wallsend town centre. The boundary between Newcastle City and North Tyneside lies to the west of the site. The A1058 Coast Road lies to the north. To the east is West Street with residential properties on the east side of West Street. There is also a care home, allotments and social club on West Street. To the south of the application site lies Western Community Primary School which has vehicular access off Rutland Road. There are residential properties in Rutland Road and Rutland Road gives access to Rheydt Avenue from which the existing golf clubhouse and Wallsend Boys Club are accessed. To the southwest of the golf course is housing and other sports facilities including a bowling green, football ground and playing fields of Benfield School. There is a bridleway outside the application site that runs from Cherrywood along the south of the golf course to the existing clubhouse. The east coast mainline railway line runs to the west of the golf course site.

2.3 The Wallsend Golf Course No.2 Tree Preservation Order 2010 covers some of the trees on the site.

3.0 Description of the Proposal

3.1 The proposal is a full planning application for the construction of a building for a driving range, incorporating a bar/restaurant, pro shop, golf academy, function/meeting rooms and new changing facilities for Wallsend Golf Club members and visitors, with associated car parking and access. It also includes the reconfiguration of the existing golf course to upgrade it and accommodate the driving range. The application is a resubmission of a previously refused application, reference 19/00833/FUL.

3.2 The main building is east facing and is set back from West Street by approximately 97m. The building is proposed as two storeys high with mezzanines which results in the predominant front elevation height of approximately 10.4m with the entrance, areas above function rooms and roof access rising to approximately 11.4m. The roof is flat with some elements pitched.

3.3 The proposed internal building floor area is approximately 4640 sqm. Of this 54 driving range bays are proposed over two floors and have a floor area of approximately 1846 sqm, the golf club area is 213 sqm, bars and restaurants 648sqm, three function rooms 371sqm, 63sqm games room and a golf shop 399 sqm.

3.4 The driving range requires a high fence enclosure and a fence with metal lattice towers as posts, is proposed around the driving range. Fencing of a maximum height of 35m is proposed to the driving range, rising slightly from the building up to 35m, then reducing in height down gradually to 25m. The elevation submitted shows this as extending beyond the building for approximately 225m.

3.5 A separate machinery shed is also proposed which is to be located to the south of the site off Rheydt Avenue. This building will measure 35m by 12m and have an overall height of 6.7m and be constructed of metal cladding.

3.6 One access is proposed off West Street. The proposed car park is to the east of the main building and has 198 parking spaces and an additional 15 disabled bays. 20 covered cycle spaces are also proposed.

3.7 The proposal includes the reconfiguration of the golf course.

4.0 Background to the development

4.1 A Planning Statement has been submitted by the applicant which is summarised as follows:

4.2 Wallsend Golf Club is reflective of the general UK trend of declining golf club membership with less of the UK population, including younger people, playing the traditional 18 holes of golf due, first, as a result of prohibitive costs and, secondly, the length of time required. The owner has teamed up with HG&L Newcastle Ltd to promote a state of the art golf centre at the site. This will be the first of its kind in the UK. The concept is to deliver golf to a younger and more diverse market. Using the latest virtual reality digital technology, in addition to extensive outdoor facilities, it delivers state of the art facilities for both those new to the game and also accomplished golfers. The golf centre provides both serious golfing facilities, including a golf academy run by a PGA (Professional Golfers' Association, the leading organization for professional golf) qualified golf coach, alongside encouraging both group and family sporting entertainment. As a whole it will comprise the following:

- 54, well-furnished driving practice bays;
- 220 metre outdoor range;
- Advanced digital technology tracking equipment;
- Video bays providing the opportunity to play a selection of world-renowned courses and games;
- PGA Golf academy for all standards run by a PGA qualified coach;
- Pro shop;
- High-quality food and beverage offering to clients; and
- Function room and meeting facilities aimed at both the corporate market and for private functions.

4.3 In addition to providing professional golf tuition and practice facilities for serious golfers, it will provide an opportunity for new players. It will also offer junior scholarships and create close relationships with local schools and clubs.

4.4 A public consultation exercise, informing both 3,000 local residents and 700 club members and pay and play golfers, together with ward councillors and third party interests, was carried out on the weekend of 18/19 July. Due to the Covid 19 restrictions, this took the form of a leaflet drop to local residents which was emailed to club members. A follow up meeting was held with the Club committee with the minutes circulated to all members, followed by a survey which confirmed an 82% approval for the proposed course reconfiguration among the 267 responses received.

4.5 The proposal aims to broaden the base of potential participants by appealing to younger players and families as well as providing something different to those who already partake in golf and are already members of the golf club, by providing a mixed offer of golf, entertainment and food. The concept also includes a golf academy run by a PGA qualified golf coach.

4.6 The first application was refused and we have taken all comments and feedback on board by repositioning the Centre to face west, parallel to the Coast Road, minimising noise and light pollution to neighbouring residents. The redesign also significantly reduces the number of trees which have to be removed and enables biodiversity enhancement whilst also preserving the wildlife corridor across the site. The driving range itself will remain 220m in length, but with golfers now playing in a westerly direction. The building will be 2-storeys in height, with golf bays on both levels fronting out on to the driving range facing away from West Street.

4.7 The existing golf course has been reconfigured to provide a layout and length that meets with today's golfers' needs. The course will consist of two loops of six holes each (one with 2 tees on each hole), both coming back to the clubhouse, together with a high quality six-hole Par 3 course, which will enable the golfer to play 6 holes, 12 holes or 18 holes.

4.8 The separate machinery shed is to be located to the south of the site off Rheydt Avenue. The reduced size of the machinery shed and revised location addresses the noise/disturbance concerns from residents of West Street with the previous application. The existing golf club house will close once the new changing rooms, pro shop and bar facility are operational. Low cost membership will also be available. The aim is to engage with the local community and develop the facility as both a sports and social environment, in pursuit of the Sport England Strategy 2016-2021.

4.9 The revised scheme results in a reduction in the area of tree removal of 23% (down from 2.73ha to 2.11ha) from the first application. The proposals provide an opportunity for significant replacement planting in association with the reshaping of the existing golf course.

4.10 It is envisaged that the proposed development will create a minimum of 100 new full & part time jobs, in addition to jobs created as part of the construction process and indirect jobs created by the contractor's supply chain.

4.11 The benefits of the development include:

- An initial investment of £13 million in Wallsend.
- The creation of around 100 new direct jobs, in addition to a significant number of jobs created indirectly as part of the construction process and the supply chain.
- The development will secure the long term future of Wallsend Golf Club, £600,000 is to be invested in the golf course itself, in order to improve significantly the quality of the course for existing and potential new members with, amongst other improvements, a state of the art drainage system to ensure the course is playable 12 months a year.

- The Centre will offer junior scholarships to young golfers and links to local schools and Groups.
- The Centre will include a Golf Academy.
- The facility will accept Ease Cards to provide a discount for local residents.
- Function/meeting rooms will be available for local businesses to hold meetings or conferences at the facility; the Centre's function and meeting rooms will also be available as an additional resource for the community for weddings, birthdays, or other private celebrations.
- The Centre will develop its own local supply chain, bringing business estimated at £4m per year to North Tyneside.
- A new access is to be created from West Street for the proposed development which will remove the current problems caused by access having to be taken through existing residential areas past Western Community Primary School and up Rheydt Road.

4.12 The applicant has also submitted the following response to the representations received:

- The applicant will work closely with their golf course architect to prepare a disturbance plan and a phasing of the works.
- A Transport Assessment has been submitted which looks at the suitability of the proposed access and at the capacity of the local road network to accommodate the traffic generated by the new facility. This confirmed that the access layout and position is acceptable in highways terms and the local road network has the capacity to accommodate the traffic generated, subject to the provision of a highway safety scheme on the Coast Road southern on-slip road, which the applicant has agreed to.
- The new facility is needed which will not only generate new members in its own right but also enable £1.64m to be invested in the existing course, with a new drainage system a priority, to enable the course to remain open all year round.
- A lighting assessment has confirmed that light spill would not impact upon either ecology on site or dwellings to the north of the Coast Road. In terms of the latter, this confirmed that light levels adjacent to the driving range are slightly in excess of 1 Lux.
- Danger from golf balls to Coast Road traffic - Additional information was provided to explain the proposed height of the range netting and why this will provide protection to vehicles passing along the Coast Road. The applicant has done a lot of research into ball heights and trajectory in order to ensure that the netting is of sufficient height to prevent balls landing on the Coast Road. They have sourced data on PGA tour golfers' trajectory heights of golf balls struck by the full range of clubs. This confirms that all clubs max out at a similar height, but at differing distances. It shows that the maximum height is 29m. Allowing for shots played from the range's second tier (at 3m), there would be an allowance of 3m for a shot to be played to its maximum height. However, factored into this calculation is the fact that this data relates to PGA tour professionals. The standard of golfer that will use the range will achieve less height and a shorter trajectory, therefore confirming that the 35m netting height is more than sufficient to prevent balls landing on the Coast Road.
- Threat to Green Space - The Council's Green Space Strategy (February 2015) notes the site as forming a general piece of open space, although it then does not feature in any sub-category of open space. Golf courses themselves are noted in the Green Space Strategy, although provision standards have not been

set as part of the objectives. The objective relating to them is, therefore, general in nature and encompasses all outdoor facilities and simply states that: *'A range of outdoor facilities should be available within an appropriate travelling distance for all.'* It is considered that the scheme meets this objective as it seeks to enhance the outdoor facilities on the site.

- Impact on wildlife - a Biodiversity Net Gain calculation was carried out. The 2.11ha of tree cover lost will be mitigated by the 3.01ha of new native structure planting. A 30 year Landscape and Ecology Management and Mitigation Plan (LEMMP) has also been prepared. The landscaping scheme has been designed to ensure the retention and provision of shelter, foraging opportunities and connected dark corridors throughout the site for those bats present. The provision of bat boxes and/or tubes into the development masterplan will enhance habitats on site for roosting bats.

- Loss of trees – compared to the refused scheme, there has been a 23% reduction in the area of tree cover lost as a result of the relocation of the driving range; the significant majority of tree cover to be lost is now in the form of two belts of 'parkland trees' set within mown grassland, rather than established semi-mature woodland habitat with an understorey and unmown woodland floor, as was the case previously. The revised scheme is now able to deliver a much more comprehensive reinstatement of tree cover within the northern quarter of the TPO belt along West Street and it offers significant new benefits in the restocking of the degraded TPO belt along the site's western boundary.

- Noise - the revised application was submitted partly in response to concerns raised by residents living on West Street, who feared that noise emanating from the range and potentially from function rooms would impact on their amenity. The applicant listened to residents' concerns and re-orientated the driving range away from West Street, removed the separate service access onto West Street from the scheme and also relocated the greenkeeper's shed to the south of the golf course. The revised noise assessment, which followed an updated noise survey, confirms that predicted noise levels along West Street would now be minimal. It also concluded that, due to the distance of houses across the Coast Road from the range and the existing background noise levels generated from vehicles using the Coast Road, noise generated from the use of the range or function rooms will be negligible. The EHO is happy with the findings of the noise assessment, subject to a condition relating to hours of operation, that the applicant has agreed with.

- Current site neglected - the owners have committed financially as much as practicably possible in the club and course to try and ensure its long-term future. Wallsend Golf Club is reflective of the general UK trend of declining golf club membership with less of the UK population, including younger people, playing the traditional 18 holes of golf. This will enable new investment and broaden the appeal base.

- Flooding of the machine shed - A flood risk assessment and drainage have been submitted. The development will incorporate a new £300,000 drainage system which will be restricted to the existing greenfield runoff. The storage required will be designed to accommodate a 1 in 100-year storm event with an allowance for 40% climate change. This will ensure that development does not increase the risk of flooding in the area, including the area to be occupied by the machine shed.

- New facility should be built on the current clubhouse site - As highlighted in the Mitigation Hierarchy, the existing clubhouse site suffers from very poor access,

which has a significant impact on the ability to attract local, non golfer customers. Since STR Ltd commenced trading in 2008, they have struggled to attract local residents to use the current facility for food and beverage. An important element in the success of the new facility is food and beverage revenue and, as a result, it needs to attract local residents. The current location is isolated, serviced by a long entrance road which, especially in the winter months, is dark, unsafe and off-putting. The current location also has very poor public transport links, whereas the new location has excellent transport links and is located within easy access to a number of bus routes, cycle and footpaths. The position of the nearby school has also been a health and safety consideration, with traffic heading for Wallsend Golf Club having to directly pass the school. The proposed scheme seeks to reduce this traffic by incorporating the golf clubhouse/changing rooms in the Centre building. The current location is not visually prominent. The proposed new location is on the highest part of the site and has never incurred flooding and as a result, the applicant will be able to obtain full competitive insurance and, crucially, will be able to secure development funding with year round operation guaranteed.

- No consultation for residents on West Street - 3,000 information leaflets were distributed by hand over the weekend of Saturday 18th and Sunday 19th July. A separate leaflet was emailed to some 1,100 members and pay and play golfers at the golf club. Subsequent to the leaflet drop, the local ward councillor informed the applicant that several residents on West Street advised that they hadn't received the leaflet. In light of this, a second leaflet drop of some 300 leaflets was undertaken to all residents along West Street on Thursday 2nd September.

- Support: Supporters for the scheme can broadly be grouped into the following categories: combatting inactivity and promoting sport, a boost to employment, both directly and as part of the local supply chain, together with the regeneration of Wallsend, including attracting visitors from outside the immediate region, creating opportunities for local children to participate in a sport that has traditionally been limited to those from more prosperous areas.

5.0 Planning History

19/00833/FUL - Construction of a driving range with associated parking, including ancillary bar/restaurant, golf shop, golf academy, golf club changing facilities, and function rooms, creation of a new vehicular access and reconfiguration of Wallsend Golf Course – refused 20.03.20 for the following reasons:

1. The proposed development would result in the loss of an area of designated open space, contrary to policies S5.1 and DM5.2 of the North Tyneside Local Plan 2017.
2. The proposed development would result in the loss of landscaping and it would have a detrimental impact on biodiversity in a wildlife corridor, contrary to policies S5.4, DM5.5, DM 5.7 and DM5.9 of the North Tyneside Local Plan 2017.
3. The proposed development would have a detrimental impact on the amenity of residents in terms of noise and disturbance, contrary to policy DM5.19 of the North Tyneside Local Plan 2017.

Existing Golf Clubhouse

09/03178/FUL Erection of new hotel and sports injury rehabilitation clinic. Refurbishment of former sports centre including external alteration, a new squash court and bar/dining facilities. Proposed 6no all weather pitches, 3no tennis

courts, par 3 golf course, adventure course and batting cage. Relocation of groundsman compound. Approved 19 October 2011

08/02049/FUL Proposed internal alterations and extension to the rear of the existing golf club. Extension to the driving range and alter the car park and immediate surrounding landscaping. Approved 9 April 2009

92/01339/LAREG3 (Outline) Construction of a 24 bay golf driving range comprising sheltered bays enclosed link to sports centre reception area, perimeter fencing and external floodlighting, minor earthmoving in the removal of a mound adjacent to the sports centre. Approved 8 October 1992

6.0 Government Policy

National Planning Policy Framework February 2019

National Planning Policy Guidance (As amended)

7.0 Development Plan

7.1 North Tyneside Local Plan 2017

7.2 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

8.0 Summary of Key Issues and Considerations

8.1 The main issues for Members to consider are:

- a) Principle of development including impact on open space
- b) Assessment of town centre uses
- c) Impact on the amenities of nearby residents
- d) Design and impact on the character and appearance of the area
- e) Landscaping and biodiversity
- f) Highway impacts
- g) Other Issues

8.2 Consultation responses and representations regarding the proposal are set out in the appendices to this report.

9.0 Principle of development, including use of open space

9.1 The National Planning Policy Framework (NPPF) states 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, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

9.2 At the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date Plan without delay; or where there are no relevant development plan policies or the policies which are most important are out-of-date grant planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

9.3 Paragraph 92 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of community facilities (such as local shops, meeting places, sporting venues, open space) and other local services to enhance the sustainability of communities and residential environments and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

9.4 Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless it is surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

9.5 The aims of how the Local Plan contributes towards achieving sustainable development for North Tyneside are set out under Policy S1.1 'Spatial Strategy for Sustainable Development'. This policy sets out the broad spatial strategy for the delivery of the objectives of the Plan.

9.6 Policy S1.2 'Spatial Strategy for Health and Well-being' sets out how the wellbeing and health of communities will be maintained and improved. This includes promoting and facilitating active and healthy lifestyles, preventing negative impacts on residential amenity and by promoting access for all to green spaces, sports facilities, play and recreation opportunities

9.7 Policy DM1.3 Presumption in Favour of Sustainable Development states:

"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 through the Development Management process and application of the policies of the Local Plan. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole; or
- b. Specific policies in the NPPF indicate that development should be restricted."

9.8 Strategic 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 strategic, development management and other area specific policies in the Plan. Amongst other matters, this includes taking into account flood risk, impact on amenity, impact on existing infrastructure and making the most effective and efficient use of land.

9.9 Local Plan Policy S2.1 'Economic Growth Strategy' states that proposals that make an overall contribution towards sustainable economic growth, prosperity and employment in North Tyneside will be encouraged.

9.10 Local Plan policy S5.1 'Strategic Green Infrastructure' states that the Council will seek the protection, enhancement, extension and creation of green infrastructure in appropriate locations within the Borough which supports the delivery of North Tyneside's Green Infrastructure Strategy.

9.11 Local Plan policy DM5.2 'Protection of Green Infrastructure' states that loss of any part of the green infrastructure network will only be considered in the following exceptional circumstances:

- a) Where it has been demonstrated that the site no longer has any value to the community in terms of access and function; or
- b) If it is not a designated wildlife site or providing important biodiversity value; or
- c) If it is not required to meet a shortfall in the provision of that green space type; or
- d) The proposed development would be ancillary to use of the green infrastructure and benefits to the green infrastructure would outweigh any loss of open space.

Where proposals are considered to meet the exceptional circumstances permission will only be granted where alternative provision, equivalent to or better than in terms of its quantity and quality, can be provided in equally accessible locations that maintain or create new green infrastructure connections. Proposals for new green infrastructure, or improvements to existing, should seek net gains for biodiversity, improve accessibility and multi-functionality of the green infrastructure network and not cause adverse impacts to biodiversity.

9.12 Local Plan policy DM5.3 states that within North Tyneside, accessible green space will be protected and enhanced to be of the highest quality and value. New development should sustain the current standards of provision, quality and value as recorded in the most up-to-date Green Space Strategy. Opportunities should be sought to improve provision for new and existing residents

9.13 The site is allocated as open space in the North Tyneside Local Plan and there is a wildlife corridor allocation across the site. The Green Space Audit categorises the site as high quality and medium value. One of the reasons for refusal on the previous application related to the loss of an area of designated open space.

9.14 The proposed building and driving range are located on part of the existing golf course. The existing golf club and driving range are not part of the application site. The proposed building and driving range will result in the loss of

some of the open space. The proposal also includes the reconfiguration of the existing golf course.

9.15 The applicant considers that the loss of a small proportion of the green infrastructure network will not affect the value of the site or the contribution it makes to the wider network. The applicant also considers that it meets an objective in the Green Space Strategy (2015) which states that “A range of outdoor facilities should be available within an appropriate travelling distance for all”. The applicant considers that the scheme meets this objective as it seeks to enhance the outdoor facilities at the site and makes it more attractive to a greater proportion of local residents and leads to greater and better use of the site. They consider that a distinction should be drawn between the type of green infrastructure which is present in and around the site and that is that it represents a specific use for sports and leisure rather than a general area of green space.

9.16 It is considered that the loss of the open space would not result in an under provision of open space in the area given the existing use of the site. The proposal would not result in the loss of sports facilities given the use of the site as a golf course is to remain.

9.17 Members need to consider whether the principle of the proposed development on the existing golf course and in terms of loss of open space is acceptable. It is officer advice that it is. The impact of the proposal on biodiversity and landscaping is considered separately in this report.

10.0 Assessment of Town Centre Uses

10.1 Main town centre uses are defined in the NPPF and include retail, leisure, entertainment and more intensive sport and recreation uses. The Council supports a town centre first approach towards new development for main town centre uses in accordance with national guidance (NPPF and NPPG). If there are no available sites in a centre, then edge of centres should be considered before out of centre sites.

10.2 Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Paragraph 87 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

10.3 Local Plan Policy S3.2 Hierarchy of centres sets out centres which are key locations for main town centre uses.

10.4 Local Plan Policy DM3.4 ‘Assessment of Town Centre Uses’ states that proposals for main town centre uses on sites not within the town centres will be permitted where they meet certain criteria including the carrying out of a sequential assessment and an impact assessment for developments over 500sqm of gross comparison retail floor space. Where an application fails to

satisfy the sequential test or is likely to have significant adverse impact it should be refused.

10.5 The proposed development comprises retail, restaurants, bar facilities, function rooms, sport and leisure uses. The bar/restaurant has a floorspace of 648sqm, the retail area has a floorspace of approximately 402sqm and the function room spaces have a floorspace of 434m² including 63sqm for the Games Room.

10.6 The applicant has not provided a sequential assessment for the retail element of the proposed development and has advised that a sequential assessment is not required as with reference to planning practice guidance, the proposed golf shop is not a destination in its own right and has a particular market and locational requirements adjacent to the golf course and driving range. The applicant considers that the proposed golf shop:

- Will offer golf equipment for sale to golf club/visitors and clientele of the driving range.
- Include a club fitting service and booking/payment point for golf rounds, green fees and the golf academy.
- Is ancillary to the driving range/golf course use.
- Would not be a standalone unit and destination in its own right and therefore a sequential assessment is not required as it has a particular market and locational requirements with the proposed development.
- The existing golf shop (150 sqm) will close once the new golf shop is operational.

10.7 The development as a whole is considered to be a main town centre use. It is outside of the boundaries of Wallsend town centre. However, given the nature of the development as a golf facility its location is considered to be appropriate. The golf shop, restaurant and bar facilities and function rooms are not considered to be wholly ancillary to the operation of the golf course and driving range, but it is accepted that the economic basis for them is in association with the golfing facilities.

10.7 Economically the proposed development would provide investment and jobs for the borough during the construction phase and reconfiguration of the golf course. Jobs will also be provided in the maintenance of the golf course and in hospitality.

10.8 It is officer opinion that the range of uses, scale and location of this proposal would not lead to substantial harm to the identified town centres of North Tyneside and that the proposal could not be accommodated at a location any closer to a town centre or in a more accessible location.

11.0 Impact on the amenities of nearby residents

11.1 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 on health, living conditions and the natural environment' and '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.’ and ‘limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation’.

11.2 Local Plan Policy S1.4 of the Local Plan General Development Principles states, amongst other things, that proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses adjoining premises and land uses.

11.3 Local Plan 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.

11.4 Local Plan Policy DM6.1 ‘Design of Development’ states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; and a good standard of amenity for existing residents and users of buildings and spaces.

11.5 One of the reasons for refusal of the last application, reference 19/00833/FUL, was that the proposed development would have a detrimental impact on the amenity of residents in terms of noise and disturbance, contrary to policy DM5.19 of the North Tyneside Local Plan 2017. The applicant has advised that they have sought to address this reason for refusal by re-orientating the building and the driving range bays now face westwards. They state that the noise assessment shows that the impact has been reduced significantly at the existing residential receptors on West Street and that any impact on residents from the lighting of the driving range for residents has been addressed by virtue of the reorientation of the range and by use of high-tec directional lighting. In terms of visual amenity, they advise that given the distance of the nearest properties to the north, and the existing mature tree belt along the north boundary to the course, together with the use of neutral coloured netting, there will be no detrimental visual impact by virtue of the netting from views from the north. At an initial height of 35m (tapering down away from the driving bays), the netting will also avoid the possibility of golf balls landing on the Coast Road to the north.

11.6 The current application has moved the proposed building and it has a different orientation. Under the refused application the building had a north/south orientation with the length of the driving range running almost parallel with West Street. The applicant is now proposing a building which is orientated east/west with the driving range bays facing westwards.

11.7 Objections have been received from residents, including residents on West Street and to the north of the Coast Road, on the grounds of the impact of the proposed development on residential amenity in particular in terms of noise, light pollution and visual impact.

11.8 The opening hours of the proposed facility are as follows:

Mon -Thu 08:00 - 23:00

Fri - Sat 08:00 - 01:00

Sun - 08:00 - 22:00

11.9 The applicant has submitted a noise assessment, an air quality assessment and a lighting assessment. There will be an impact on residents in the area, in particular on West Street, compared to the existing situation. Properties north of the Coast Road are over 70m from the boundary of the site. The proposed building is set over 90m from the boundary with West Street and its siting is considered to be an improvement on the previous application in terms of impact on amenity. The driving range is positioned to the west of the proposed building, thereby offering some screening in visual terms from West Street. However, there will be a visual impact of the building and the driving range fencing as well as the other associated works from the surrounding area. However, this visual impact and impact in terms of outlook and daylight is not considered to be detrimental. Further consideration of the visual impact of the development is set out later in this report.

11.10 The Manager of Environmental Health has been consulted on the application and has provided comments. She advises that the facility will be located adjacent to residential properties on West Street and she has concerns with regard to potential noise arising from the development such as plant noise, customer noise and music affecting the neighbouring residential properties. She has viewed the noise assessment report. This has considered noise arising from the golf building including amplified music, external plant and equipment, car park noise and customer noise.

11.11 The noise assessment has taken background noise levels for the area and noise from external plant and equipment has been assessed and established that noise levels will not exceed the existing background noise levels for the area. A planning condition is required to verify that the operational noise levels do not exceed the existing background noise levels.

11.12 The Manager of Environmental Health has advised that the background music for the golf driving bays has been assessed based on a typical level of 68 dB(A) for each speaker within the bay. The golf driving bays are screened by the building itself and therefore the noise assessment has determined that the amplified music will be inaudible for residents located in West Street. The noise assessment for functions has been based on worst case and has indicated that potential noise arising from a function would not give rise to noise levels likely to give rise to significant adverse impact for the maximum noise levels generated at the nearest sensitive receptors as the overall noise levels would not exceed the background noise levels. Noise arising from functions at the site including customer noise and noise from the car park has been predicted to result in a noise level of around 43dB(A) at the nearest residential properties on West Street, which is below the existing daytime noise levels and 3dB above the night time background noise level. It is not considered that this would result in an adverse impact.

11.13 The Manager of Environmental Health therefore recommends conditions to require a noise management plan for controlling noise from customers leaving the venue and use of the car park if the operating hours are to be permitted to 01:00 hours on a Friday and Saturday. She has also advised that the use of the external balcony and outdoor areas can be controlled via a condition to restrict to no later than 9pm and the driving range bays till 11pm. This will minimise customer noise in the late evening.

11.14 The Manager of Environmental Health has advised that a lighting assessment has been provided that has calculated the illumination levels arising from the external lighting at the development. This indicates that the nearest sensitive receptors will not be subject to any increase in lighting levels at the residential facades.

11.15 The Manager of Environmental Health has concerns about early morning grass cutting operations that can start at 5:00 hours. Although the maintenance building is located to the west of the golf course away from residential properties on West Street and noise from accessing the building during the early morning will be mitigated, there are still concerns with regard to early morning noise from the cutting activity for those greens closest to West Street. She recommends that this activity is restricted during the early morning period to ensure the greens located adjacent to West Street are cut after 07:00 hours Monday to Saturday and 09:00 hours on Sundays.

11.16 In terms of odour, the Manager of Environmental Health has advised that further information is required. The agent has provided information relating to this. Conditions are recommended to control details of plant including any extraction vents, air ventilation systems, refrigeration and odour suppression.

11.17 The Manager of Environmental Health has also viewed the submitted air quality report. This considers potential construction impacts arising from dusts and operational phase potential impacts. It is considered that risks from dust and fine particulates arising from the construction phase can be mitigated through a dust management plan and this can be conditioned. Air quality impacts arising from the operational phase are determined to be negligible and not significant based on the predicted traffic movements associated with the development. Although the site is on the boundary of a nitrogen dioxide exceedance area for the A1058 Coast Road, the number of additional trip movements east and west along the Coast Road is considered to be negligible.

11.18 Members need to consider whether the proposal will have a detrimental impact on the amenity of nearby residents. It is officer advice that the proposal will be acceptable in terms of its impact on amenity subject to conditions.

12.0 Design and impact on the character and appearance of the area

12.1 Paragraph 124 of the NPPF states that 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

12.2 Local Plan Policy S1.4 General Development Principles of the Local Plan 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. Proposals should meet a number of criteria including, amongst other things, the likely effects of climate change and flood risk; have an acceptable impact on local amenity for existing residents and businesses; have regard to the built and natural environment; and be accommodated by existing infrastructure encouraging accessibility and walking, cycling and public transport and where appropriate provide improvements to infrastructure.

12.3 Local Plan Policy DM6.1 Design of Development 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 and, amongst other things, proposals should be responsive in design to landscape features and wildlife habitats; have a positive relationship to neighbouring buildings and spaces; sufficient car parking that is well integrated into the layout; and a good standard of amenity for existing residents.

12.4 Design guidance for high quality design is set out in the Council's Supplementary Planning Document on Design Quality.

12.5 The main building is east facing and is set back from West Street by approximately 97m. The building is proposed as two storeys high with mezzanines which results in the predominant front elevation height of approximately 10.5m with the entrance, areas above function rooms and roof access rising to approximately 11.5m. The roof is flat with some elements pitched. Development in the area is predominantly two storey. The proposed building is located approximately 116m from the nearest residential property in West Street and over 105m from the properties to the north of the Coast Road. A maintenance building is proposed to the south west of the site.

12.6 The applicant has advised that the specific siting of the building has been carefully considered as to ensure no detrimental visual impact from any external approach. Single storey elements have been introduced to reduce the visual massing. This has involved recessing first floor sections to create terraces. This approach has also been adopted at the junction where the building meets the golf course to soften this transition. In doing so, strong contrasting blocks to the east and west of the building act to 'bookend'. The recessed first floor elements propose a different cladding arrangement to contrast with the principal elevational elements. This lessens the visual impact significantly whilst maintaining a strong horizontal emphasis. The materials for the main building comprise cladding in a soft tone which is complemented by a series of green cladding boards proposed for enhanced connectivity. Elements of green walling have been provided alongside the entrance. Dark clad protruding elements will 'bookend' the principal (entrance) building facade. Large expanses of glazing with coloured framing features, provide the building with a contemporary aesthetic. The design incorporates protruding building elements.

12.7 In terms of the West Street boundary, trees along West Street are protected by the Wallsend Golf Course No.2 Tree Preservation Order. It is proposed to remove the existing fencing along West Street and replace it with 1.2m high vertical bar steel railings. The applicant has advised that the landscaping strategy aims to deliver a significant enhancement of the site boundary on West Street and restoration of the tree cover in the north-eastern corner of the site. They have also advised that within the car park area extensive avenue tree planting and hedge planting would break up and soften the appearance of the car parking area.

12.8 The proposed building will be visible from West Street and the Coast Road where the access road is located through the existing and proposed planting. The reorientation of the building from the previously refused scheme reduces the impact on West Street.

12.9 Fencing of a maximum height of 35m is proposed to the driving range, tapering up slightly from the building up to 35m, then tapering down gradually to 25m. The elevation submitted shows this as extending beyond the building for approximately 225m on each side of the driving range with a width of approximately 70m with towers. The applicant has advised that this mesh fencing is specifically designed to be non-visually intrusive, however there are metal lattice towers to support it. These will have some visual impact from some viewpoints. Fencing of this height is an anomaly in most areas and there is limited development of this height in North Tyneside.

12.10 The reorientation of the building and driving range from the previous application reduces the impact of the fencing on West Street. It will be visible given its height to West Street and the Coast Road. The applicant has submitted some indicative images to show the fencing and towers from the Coast Road and West Street.

12.11 The Design Officer has advised that the siting of the proposed building, car park and range are well located to minimise the visual impact of the scheme and the impact on the nearby residential area. The driving range is now aligned with the Coast Road. Two 3D visual images have been submitted showing the proposal from the Coast Road. These show that some of the lattice towers and nets that enclose the driving range can be seen from the Coast Road, however a large area is concealed by landscaping. The parts that are visible cause some harm to the character and appearance of the area. The impact, however, is much reduced when compared to the previous application. It is also noted that the design is improved with a tapering down of the lattice towers and nets away from the driving bays.

12.12 The Design Officer also advises that the vehicular entrance to the site seems to have been appropriately chosen where there will be least impact to well established trees. Along the vehicle approach off West Street, there would be views of the new building which would be, in part, mitigated by landscaping. A 3D visual image showing the site from West Street has been submitted. Further 3D views were requested and these have been submitted showing the view of the site from West Street northbound and southbound.

12.13 With regards to the separate machinery shed located to the south of the site off Rheydt Avenue, the Design Officer advises that the location for this is considered to be appropriate.

12.14 Members need to consider whether the proposal has an acceptable impact on the character and appearance of the area. It is officer advice that on balance it is acceptable.

13.0 Landscaping and biodiversity

13.1 Paragraph 170 of the NPPF states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

13.2 Paragraph 174 states that 'To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'.

13.3 Paragraph 175 states that, 'When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

13.4 Local Plan Policy S5.4 Biodiversity and Geodiversity states that:

The Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance. Priority will be given to:

a. The protection of both statutory and non-statutory designated sites within the Borough, as shown on the Policies Map;
b. Achieving the objectives and targets set out in the UK Post-2010 Biodiversity Framework and Local Biodiversity Action Plan;
c. Conserving, enhancing and managing a Borough-wide network of local sites and wildlife corridors, as shown on the Policies Map; and
d. Protecting, enhancing and creating new wildlife links.

13.5 Policy DM5.5 Managing effects on Biodiversity and Geodiversity states that: 'All development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

13.6 Proposals which are likely to significantly affect nationally or locally designated sites, protected species, or priority species and habitats (as identified in the BAP), identified within the most up to date Green Infrastructure Strategy, would only be permitted where:

- d) The benefits of the development in that location clearly demonstrably outweigh any direct or indirect adverse impacts on the features of the site and the wider wildlife links;
- e) Applications are accompanied by the appropriate ecological surveys that are carried out to industry guidelines, where there is evidence to support the presence of protected and priority species or habitats planning to assess their presence and if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation; and
- f) For all adverse impacts of the development appropriate on-site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals. This must be accompanied by a management plan and monitoring schedule, as agreed by the Council.

13.7 Policy DM5.7 Wildlife Corridor states that proposals within a wildlife corridor must protect and enhance the quality and connectivity of the wildlife corridor.

13.8 Policy DM5.9 Trees, Woodland and Hedgerows states that the Council will support proposals to protect and enhance existing woodland tree and landscape features and secure new planting as part of development.

13.9 The site is designated as a wildlife corridor in the North Tyneside Local Plan. Some of the trees on the site are protected by Wallsend Golf Course No.2 Tree Preservation Order 2010. This TPO covers trees around the western part of the site, the northern and eastern boundaries and in certain areas within the site (by the access road to the current golf club).

13.10 The proposed building, servicing facilities, access and parking will result in loss of woodland and trees which are part of the golf course and along the West Street boundary where access is proposed where trees are protected by the Wallsend Golf Course Tree Preservation Order. The proposed facility is situated within a wildlife corridor.

13.11 One of the reasons for refusal of the last application, reference 19/00833/FUL, was that the proposed development would result in the loss of landscaping and it would have a detrimental impact on biodiversity in a wildlife

corridor, contrary to policies S5.4, DM5.5, DM 5.7 and DM5.9 of the North Tyneside Local Plan 2017.

13.12 The applicant has advised that an updated Ecological Appraisal Report and Landscape Strategy Plan have been submitted and that these found that the amenity grassland to be lost is of 'negligible' ecological importance and the mixed plantation woodland is of 'local' ecological importance, but it is considered that the loss of this area can be mitigated by compensatory measures and the importance of the habitat can be retained. The applicant also advises that the landscape strategy for the site of the proposed driving range and car parking aims to deliver significant enhancement of the site boundary on West Street generating a notable improvement in the visual character of the wider street scene with restoration of the tree cover within the degraded section of the vegetation cover within the area of the TPO at the north eastern corner of the site. They consider that new planting of native trees and shrubs, together with the improved management of existing tree cover will improve the structural integrity of the tree belt within the TPO by improving species and age diversity and establishing a continuous canopy cover in areas where trees are currently absent. To the periphery of the car park layout new verges would be sown with native wildflower and grass mixes to create a species diverse woodland edge habitat. Mounding immediately to the north of the new driving range outfield between the maintenance access track and the tree root protection areas to the north, would be planted with native trees and shrubs. To compensate for the proposed loss of tree cover new pockets of native tree and shrub planting are distributed across the course. New tree planting will be bolstered by the translocation of some 60 semi-mature trees from areas of tree removal and the positioning of these would focus on closing breaks between existing tree belts to improve habitat connectivity. There is an existing watercourse within the south-eastern part of the site and the proposed landscape strategy includes work to open up the ditch and improve the habitat value of the channel and its banksides.

13.13 Ecological Surveys have been undertaken on the site and include an ecological appraisal, breeding bird survey, bat transect survey, badger survey and an otter and water vole survey. A tree survey and Arboricultural Impact Assessment has been undertaken that categorises the quality of the trees. Of the 2.11ha of woodland to be lost, 1.80 ha (85%) are category B2 trees and 0.31ha (15%) have been assessed as category C trees. The Landscape Architect and Biodiversity Officers advise that of the 2.11ha of trees to be lost, 903m² (4.3%) are trees protected by a TPO and comprises of both category B and C trees.

13.14 The Landscape Architect and Biodiversity Officers have been consulted and their comments are set out in the appendices. They advise that the application will result in the loss of a large area of established woodland and there will be increased lighting and noise within a wildlife corridor. They advise that the impacts of the scheme include the loss of 2.11ha of native broadleaved woodland, small areas of native scrub planting (0.24ha), loss of habitat supporting breeding birds and foraging and commuting bats and indirect impact on a wildlife corridor.

13.15 The Landscape Architect and Biodiversity Officers advise that the applicant has looked to address or minimise the impacts in relation to the current application. They advise that the applicant has demonstrated that new native woodland planting and proposed enhancements to the existing woodland, in addition to other measures, will deliver adequate mitigation for the loss and will achieve a net gain (0.68%) across the site, in accordance with the Local Plan policies. The application proposes 3.01 ha of native structure planting and 12.57ha of woodland enhancement to mitigate the impacts of woodland loss. 0.08ha of wildflower grassland is also proposed. The Landscape Architect and Biodiversity Officer also advise that the creation of new habitat (woodland, scrub and wildflower grassland) and SuDs features, lighting that is designed to minimise light spill and the delivery of woodland enhancements (12.5ha) and watercourse improvements, should ensure that overall the integrity and functioning of the wildlife corridor is not compromised.

13.16 The applicant has submitted a Net Gain Report to demonstrate that the mitigation measures submitted to address habitat loss will adequately mitigate and provide net gains. The Landscape Architect and Biodiversity Officers advise that the Net Gain Report inputs baseline habitat information, habitat losses and habitat creation and enhancements and it documents new habitat creation (native woodland and scrub) in addition to habitat enhancements (retained woodland enhancement) and this results in a net gain of 0.69% in habitat units and 10% net gain in hedgerow units, which demonstrates that the mitigation being provided is in accordance with the Council Policy.

13.17 The Landscape Architect and Biodiversity Officers have recommended a series of planning conditions in order ensure that the scheme can be delivered with minimal harm to the landscape and wildlife and ensure long term biodiversity benefits. Conditions are recommended regarding tree protection, tree replacements, lighting, landscaping scheme, landscape management, ecological management and monitoring, arboricultural and ecological supervision during construction, hedgehog habitat creation, bird and bat boxes, drainage and monitoring of driving range netting. The applicant has agreed to a 30 year Ecological Management and Monitoring Plan for the long-term management and monitoring of landscaping and wildlife habitats and species within the application site and this can be conditioned.

13.18 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity and landscaping. It is officer advice that subject to conditions the proposed development is acceptable in terms of biodiversity and landscaping.

14.0 Highways and Parking Issues

14.1 The NPPF states that the planning system should actively manage patterns of growth in support of transport objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

14.2 The NPPF at paragraph 109 states that 'Development should only be prevented or refused on highways 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 Local Plan Policy S7.1 'General Infrastructure and Funding' states that 'The Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. New development may be required to contribute to infrastructure provision through planning obligations and/or CIL.

14.4 Local Plan Policy DM7.4 'New Development and Transport' relates to transport requirements of new developments including parking. Supplementary Planning Document 'Transport and Highways' is also relevant and sets out parking standards.

14.5 Residents have raised objections to the proposal relating to the likely increase in traffic as a result of the proposal. A new access is proposed off West Street for access to the proposed development. The previous application incorporated a second access for service purposes, but this is not now proposed.

14.6 The applicant has submitted a Transport Assessment that has looked at the impact of the development on the local highway network. A Framework Travel Plan has also been submitted.

14.7 The Transport Assessment states that the proposed car park for the driving range has 198 spaces in total comprising 183 regular bays and 15 disabled bays. There are also a further 24 parking spaces at the machinery shed. The applicant advises that after the proposed development staff and visitors will no longer use the car park off Rheydt Ave which serves the existing golf course. The applicant considers that this is an improvement in highway terms as these vehicles will no longer travel past Western Community Primary School. The applicant advises that 20 cycle parking spaces are proposed on site available to be used by visitors and staff. They are located at the frontage adjacent to the entrance to the development.

14.8 The Highways Network Manager has advised that the site is currently accessed via Rheydt Avenue, a non-adopted road to the south of the course which also serves Wallsend Boys Club & the former Wallsend Sports Centre site. The proposed access is via West Street which provides a more direct access to the A1058 Coast Road. It is considered that in terms of capacity, the impact is not significant given the long established use on the site, however due to additional vehicles accessing the site from the Coast Road & Devonshire Gardens junction, a highway safety scheme is deemed to be appropriate for the Coast Road southern on-slip road. He advises that parking, cycle parking and the internal layout has been provided to meet the needs of the development therefore conditional approval is recommended.

14.9 Objections have been received which refer to the potential for golf balls to impact on traffic on the Coast Road. The Highways Network Manager asked for

further information with regards to this and the applicant has advised that they have undertaken a significant amount of research into ball heights and trajectory in order to ensure that the netting is of sufficient height to prevent balls landing on the Coast Road. They have sourced data on PGA tour golfers' trajectory heights of golf balls struck by the full range of clubs. The applicant states that all clubs max out at a similar height, but at differing distances. It shows that the maximum height is 29m. Allowing for shots played from the range's second tier (at 3m), there would be an allowance of 3m for a shot to be played to its maximum height. However, factored into this calculation is the fact that this data relates to PGA tour professionals. The standard of golfer that will use the range will achieve less height and a shorter trajectory, therefore they consider that the 35m netting height is more than sufficient to prevent balls landing on the Coast Road.

14.10 The Public Rights of Way Officer and Cycling UK have commented that West Street is a key corridor cycle link between the Coast Road and Segedunum and the new access point needs to retain priority for pedestrians/cycles and that cycle parking needs to be at the main entrance, overlooked and include lighting. They have queried whether a contribution could be made to the cycle link and whether the Bridleway that runs through the existing grounds could be resurfaced with new signage. It is considered that improvements to the bridleway are not appropriate or reasonable. However, cycle parking has been provided for the development adjacent to the entrance and this will be covered. A condition can be imposed to secure this.

14.11 Members need to consider whether the proposal is acceptable in terms of its impact on highway safety and the highway network. It is officer advice that the proposed development is acceptable in terms of accessibility by different modes of transport and for parking and that the impact from the proposed development on the road network would not be severe.

15.0 Other issues

15.1 Flooding

15.2 Paragraph 163 of the NPPF 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. Paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the lead local flood authority, have appropriate proposed minimum operational standards, have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and where possible, provide multifunctional benefits.

15.3 Local Plan 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. Other relevant policies in the Local plan are Policy DM5.14 'Surface Water Run Off' and DM5.15 'Sustainable Drainage'.

15.4 The applicant has submitted a Flood Risk and Drainage Assessment. The applicant has advised that the development will incorporate a new £250,000 drainage system which will be restricted to the existing greenfield runoff. The storage will be designed to accommodate a 1 in 100-year storm event with an allowance for 40% climate change. The applicant considers that this will ensure that development does not increase the risk of flooding in the area and will allow the course to be played all year round.

15.5 The Lead Local Flood Authority (LLFA) has been consulted. They have advised no objections subject to conditions as the development will be providing attenuation within the site through the use of suds ponds, swale & underground storage crates. The surface water from the development will be restricted to the equivalent greenfield run-off rates and will discharge into the Wallsend Burn. These proposals will ensure the development does not increase flood risk both on and off site. The LLFA also asked the applicant to verify whether improvements to the Wallsend Burn (upstream from Prince Road culvert) are part of the current proposals. The applicant has confirmed these are still proposed and the LLFA has stated that this improvement will help reduce the impact of the development on the watercourse.

15.6 Northumbrian Water has been consulted. They have recommended conditional approval. The Environment Agency have no comments.

15.7 Members need to consider whether the proposal is acceptable in terms of its impact on flooding. It is officer advice that subject to conditions it is acceptable.

16.0 Ground conditions

16.1 Paragraph 178 of the NPPF states 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 i.e. mining or land remediation. Paragraph 179 of the NPPF goes on to say that where a site is affected by contamination or land instability issues, responsibility for securing a safe development, rests with the developer and/or landowner.

16.2 Local Plan 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 effect, 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 effect, these will be required as a condition of any planning permission.”

16.3 The whole of the local plan area has been identified a Mineral Safeguarding Area. Local Plan Policy DM5.17 'Minerals' states that minerals resources and related infrastructure should be managed and safeguarded.

16.4 The Contaminated Land Officer has been consulted. She has advised that no gas protection measures are required, and no contamination issues have been identified therefore she has no objections.

16.5 The Coal Authority has been consulted. They have raised no objections to the proposed development subject to a condition.

16.6 Members need to consider whether the proposal is acceptable in terms of its impact on ground conditions. It is officer advice that subject to conditions it is acceptable.

17.0 Aviation Safety

17.1 Newcastle International Airport Limited (NIAL) has been consulted. They have advised that all lighting needs to be projected downwards. The applicant has advised that the lighting columns will be 15m high and directional, downward angled and will not distract pilots or drivers on the adjacent Coast Road. Further to this NIAL has advised that they have reviewed the landscape plans, planting mix and bird hazard assessment and management plan, and they are satisfied that all of their concerns have been addressed.

17.2 Members need to consider whether the proposal is acceptable in terms of aviation safety. It is officer advice that subject to conditions it is acceptable.

18.0 Archaeology

18.1 Paragraph 199 of the NPPF states “Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted”.

18.2 Local Plan Policy DM6.7 'Archaeological Heritage' seeks to protect, enhance and promote the borough's archaeological heritage and where appropriate, encourage its interpretation and presentation to the public.

18.3 The Tyne and Wear Archaeology Officer has been consulted. She has advised the site has some archaeological potential and she recommends conditions.

18.4 Members need to consider whether the proposal is acceptable in terms of archaeology. It is officer advice that subject to conditions it is acceptable.

19.0 Planning Obligations and CIL

19.1 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.

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

Necessary to make the development acceptable in planning terms;

Directly related to the development; and

Fairly and reasonably related in scale and kind to the development.

19.3 Local Plan Policy S7.1 'General Infrastructure and Funding' states that new development may be required to contribute to infrastructure provision to meet the impact of new development through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where it is not possible to address unacceptable impacts through the use of a condition; and where contributions are fair, reasonable, directly related to the development and necessary to make the application acceptable.

19.4 Local Plan 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.

19.5 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.

19.6 The Council's Supplementary Planning Document Planning Obligations was adopted in March 2018. Planning Obligations are required to ensure that new development appropriately mitigates site specific impacts on the physical, social and economic infrastructure of the borough. The SPD provides guidance on the type and extent of planning obligations that may be required in order to grant planning permission. They must be necessary and used directly to make a development acceptable.

19.7 A planning obligation must be lawful and comply with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010. It must be necessary; directly related to the development; and fairly and reasonably related in scale and kind to the development.

19.8 Contributions have been requested by the Employment and Skills service for apprenticeships or 0.5% of capital cost of the proposed development. The applicant has agreed submitted a Training and Employment Plan which states that the applicant will provide three golf course apprenticeships and three hospitality apprenticeships over a nine year period. The above has been reported to IPB. This can be secured by a condition.

19.9 A CIL payment will be required in respect of this development.

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

20.0 Local Financial Considerations

20.1 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).

20.2 Economically there would be a benefit in terms of the provision of construction jobs during the build and reconfiguration of the golf course, and jobs associated with maintenance of the golf course and hospitality if the scheme is implemented.

21.0 Conclusion

21.1 Members need to consider whether the principle of the development is acceptable, whether the impact on amenity is acceptable, whether the impact on highway safety and the character of the area is acceptable and whether the impact on biodiversity and landscaping is acceptable.

21.2 It is officer advice that the principle of the development is acceptable, the impact on highway safety is acceptable, the impact on the character and appearance of the area, the impact on biodiversity and landscaping and the impact on amenity is acceptable. The proposal is recommended for approval subject to conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
Location and Site Plans 25520 1205 PO1
Proposed Site Plan 25520 1200 P08

General Layout 020/415/01 Rev A
 Proposed Ground Floor Plan 25520-1210-PO3
 Proposed First Floor Plan 25520-1212-PO1
 Proposed Landscape 020/415/03
 Proposed Roof Plan 25520-1211-PO1
 Proposed Site Sections 25520-1240-PO3
 Proposed Elevations 25520-1255-PO2
 Drainage Proposal 020/415/05 Rev A
 Proposed Contours 1 of 2 020/415/04 Rev A
 Proposed Contours 2 of 2 020/415/04 Rev A
 Maintenance Shed Elevations 25520 1215 P01
 Proposed Machinery Shed Plan 25520-1216-PO1
 Driving Range Fencing Plan Proposed
 Extract of Site Plan with trees 1202 P01
 Mezzanine Plan 25520 1213 P02
 Landscape Strategy Plan 1576-2-1 REV C
 Planting Strategy East 1576-2-2A REV E
 Planting Strategy West 1576-2-2B REV E
 Tree Translocation Strategy 1576-2-3D
 Culvert detail
 Swale Detail
 Drainage Ditch Detail
 Footpath Construction Detail

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. 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 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.

4. Wheel Wash

SIT008 *

5. The building and use hereby approved shall only be open for business between the hours of 07:00 to 23:00 Mondays to Thursdays and 7:00 to 01:00 Fridays and Saturdays and 07:00 to 22:00 Sundays.

Reason: To safeguard the occupiers of adjacent properties from undue noise of other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

6. Restrict Hours No Construction Sun BH HOU004 *

7. Prior to the commencement of the construction of any building above ground level, details of the materials and finishes for the development shall be 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.

8. Prior to the commencement of construction works details of pollution control measures to protect the adjacent watercourse during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This condition needs to be pre-commencement in order to prevent flood risk in accordance with NPPF.

9. Prior to the commencement of construction works details of the drainage design shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This condition needs to be pre-commencement in order to prevent flood risk in accordance with NPPF.

10. No development shall take place to any building on the site until plans of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: This needs to be pre-commencement condition to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

11. Prior to the commencement of construction works for the car park details of the petrol interceptors for the car parking areas and their maintenance regimes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to prevent flood risk in accordance with NPPF.

12. No development shall commence until a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, specifically to attempt to locate and determine the condition of mine entry 428567-002, and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

13. The development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Assessment" referenced "MD1304/rep/001 Rev E". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 1903 and ensure that surface water discharges to the existing watercourse.

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

14. Prior to any alterations being undertaken to any watercourse, a watercourse consent form shall be provided to and agreed in writing with the Local Planning Authority.

Reason: In order to prevent flood risk in accordance with NPPF.

15. No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required pre- commencement in order to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

16. The buildings shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 8 has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

17. The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified in the Local Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

18. Prior to the use of any crane on site during the construction of the development, a method statement for crane operation shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport. Thereafter the development shall only proceed in accordance with the agreed method statement.

Reason: In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport in accordance with the advice in NPPF.

19. Prior to the commencement of the use of the buildings hereby permitted, a scheme for netting the SUDS until the vegetation is established and details of the drainage times shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport. Thereafter the development shall only proceed in accordance with the agreed scheme.

Reason: In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport in accordance with the advice in NPPF.

20. Any lighting required for the development either permanently or during construction, should be fully cut off so as to minimise light pollution spilling into the atmosphere which could distract pilots on final approach to Newcastle International Airport.

Reason: In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport in accordance with the advice in NPPF.

21. The management recommendations set out in the Bird Strike Risk Assessment shall be carried out and maintained.

Reason: In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport in accordance with the advice in NPPF.

22. Any lighting required for the development either permanently or during construction, should be fully cut off so as to minimise light pollution spilling into the atmosphere which could distract pilots on final approach to Newcastle International Airport.

Reason: In the interests of aviation safety given the close proximity of the site to the flight path of Newcastle International Airport in accordance with the advice in NPPF.

23. No part of the development shall be occupied until a scheme for the following off-site highway works has been submitted to and approved by in writing the Local Planning Authority:

- Provision of new accesses
- Closure of existing access & reinstatement to footpath
- Provision of highway safety scheme on the Coast Road southern on-slip road
- Upgrade of footpaths abutting site
- Associated street lighting
- Associated drainage
- Associated road markings
- Associated Traffic Regulation Orders
- Associated street furniture & signage

The works shall be completed to a timescale agreed in writing with the Local Planning Authority and in accordance with the agreed details.

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

24. No part of the development shall be occupied until an area has been laid out within the site for vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

25. 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 policy DM7.4 of the North Tyneside Local Plan (2017).

26. Notwithstanding Condition 1, prior to the development hereby approved being brought into use, details of facilities to be provided for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled for all waste types shall be provided in accordance with the approved details, prior to the occupation of the building 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).

27. Prior to the occupation of any building hereby approved a scheme for the provision of secure undercover cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before development is occupied and shall be permanently retained.

Reasons: In the interests of highway safety and encouraging sustainability having regard to DM7.4 of the North Tyneside Local Plan (2017).

28. New Access Access Before Devel ACC010 *

29. 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).

30. Turning Areas Before Occ ACC02 *delivery
5 vehicles

31. 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: In the interests of highway safety in accordance with the advice in NPPF.

32. No part of the development shall be occupied until a scheme for the provision of Electric Vehicles (EV) charging points 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 before the development is occupied and retained thereafter.

Reason: In the interests of promoting sustainable transport in accordance with the advice in NPPF.

33. No part of the development shall be occupied until details of a taxi & private hire servicing plan have been submitted to and approved in writing by the local planning authority. This plan shall include details of drop off & pick up points and allocated parking bays as necessary. Thereafter the taxi & private hire servicing plan shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety in accordance with the advice in NPPF.

34. No part of the development shall be occupied until a servicing & refuse management strategy for the site has been submitted to and agreed in writing by

the Local planning Authority. Thereafter the servicing & management of the refuse shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety in accordance with the advice in NPPF.

35. Notwithstanding the Framework Travel Plan submitted, the full Travel Plan shall be developed as set out and implemented in accordance with the agreed details.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

36. No construction of the building above damp proof floor level shall take place until details of the height, position, design and materials of any chimney or extraction vent 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 safeguard the amenities of adjoining properties having regard to policy DM5.9 of the North Tyneside Local Plan.

37. No construction of the building above damp proof floor level shall take place until details of any refrigeration plant to be installed in connection with the development have been 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: In order to safeguard the amenities of adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

38. No construction of the building above damp proof floor level shall take place 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.

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

39. Prior to the commencement of the building above damp proof level, details of an odour suppression system for the arrestment of cooking odours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development or use commences in accordance with the approved details and permanently retained. The applicant shall maintain the odour suppression system as approved in accordance with the details provided by the manufacturer and as agreed in writing with the Local Planning Authority.

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

40. Noise No Tannoys Externally Audible NOI002 *

41. A noise scheme must be submitted to and approved in writing by the Local Planning Authority for all plant or equipment installed at the site prior to its installation. The rating level for all plant must not exceed the current background noise levels as provided in noise assessment report reference NT14003 of 50 dB LA90 1 hr daytime and 40 dB LA90 15 min for night time, when assessed in accordance to BS4142 at the front facade of residential properties on West Street. 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.

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

42. 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 prior to its installation and the plant and machinery shall not be used until the approved soundproofing has been implemented. This scheme 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. The development shall be carried out in accordance with the agreed details.

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

43. Deliveries and collections to the premises shall only occur between 07:30 hours and 21:00 hours.

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

44. Door and windows in the restaurant and function rooms must be kept closed whenever live or amplified music, in the form of Discos and DJ's, is played at the premises.

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

45. A noise management scheme must be submitted to and approved in writing to the Local Planning Authority prior to the commencement of the use of the building that details the measures to be implemented and thereafter retained to minimise noise impacts of events held within the function room and restaurant to ensure all activities and use of the premises is suitably mitigated via sound control measures. The development shall be carried out in accordance with the agreed scheme.

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

46. Details of the volume control system must be submitted to and approved in writing to the Local Planning Authority to ensure the background music level for the golf driving bays achieves a level of 78 dB LAeq for each of the speakers at 2m. Following installation of the volume control system acoustic testing shall be undertaken to verify compliance with this condition within one month of its

installation and the results of this shall be submitted to and approved in writing by the Local Planning Authority prior to its operation.

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

47. Noise levels from the driving range bays (including both voices and background music) should not exceed background noise levels during both daytime and night-time hours. Compliance noise monitoring shall be carried out within three months following first occupation of the building, during typical operations at the golf driving range. Following the noise monitoring an assessment, in accordance with BS4142, must be submitted, highlighting the requirement for any noise mitigation, for written approval to the Local Planning Authority. Following the implementation of any mitigation measures, compliance monitoring should be repeated and an assessment in accordance with BS4142 must be re-submitted, for written approval to the LPA. If any complaints are received to the Local Authority regarding noise levels at the premises, within 1 month of notification of this by the Local Authority to the operator, a re-assessment of the noise levels shall be undertaken and any further mitigation measures agreed.

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

48. An appropriate mechanical ventilation scheme must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development and thereafter maintained to protect against windows and doors being opened during functions when amplified music is being played. The agreed details shall be implemented in accordance with the approved details prior to the commencement of the use and retained thereafter.

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

49. The external seating areas shall only be used between 08:00 to 21:00 hours and the golf driving range bays shall only be used between the hours of 08:00 to 23:00.

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

50. Grass cutting activities for the golf greens located adjacent to West Street shall only occur between 07:00-21:00 hours Monday to Saturday and 09:00 - 21:00 hours on Sundays. A plan identifying the areas to be restricted to these times shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

51. 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: This information is required from the outset 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).

52. Prior to any works starting on site, (including demolition and all preparatory work), an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) in accordance with the recommendations of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' shall be submitted to and approved in writing by the Local Planning Authority in order to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees. The Method Statement is to include the following:

- A fully detailed tree survey in accordance with BS5837:2012; a plan showing trees identified for removal and retention; a schedule of proposed tree works; a detailed assessment of the impact of the development on the trees and any changes in level;

- A scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) the type of protective fencing and signage;

- Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees (including the removal of existing structures and hard standings);

- Details of construction within the RPA including hard surfaces and/or scaffolding that may impact on the retained trees including the installation of temporary ground protection;

- Details of any construction works and methods of installation required within the root protection area as defined by BS5837:2012 which make provision for protection and the long-term retention of the trees, for the location of any (and not limited to) underground services, carriage way positions, parking areas and driveways, drainage, lighting, fence posts, installation of kerb lines or any structures within the root protection area and /or specialist foundations. Such areas are to be constructed using a 'No-dig' specification and to include works being undertaken by hand or suitable method such as an air spade along with any necessary ground treatments to deal with compacted areas of soil. Details shall demonstrate that any trenches or excavation works will not cause damage to the retained trees and /or root systems of the trees No services shall be dug or laid into the ground other than in accordance with the approved details;

- Details of any changes in ground level, including existing and proposed levels and any retaining structures required within the root protection area as defined by BS5837:2012. Thereafter no changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority. and the effect they will have on finished levels and finished heights;

Thereafter all construction and excavation works shall be implemented in accordance with the approved details. Any variation to the approved AMS and TTP should be submitted in writing to the Local Planning Authority for approval.

Reason: This information is required from the outset 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).

53. Prior to the commencement of any site clearance works in connection with the development hereby approved (including demolition/excavation works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations in the Tree Protection Plan (TPP). No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is NOT to be repositioned without the approval of the Local Authority.

Reason: This information is required from the outset 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).

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

Reason: In the interests of ecology and biodiversity having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

55. Prior to the commencement of development details of the number of protected trees to be removed and their replacement shall be submitted to and approved in writing by the Local Planning Authority. Trees are to be replaced on a one for one basis at a minimum 12-14cm girth unless otherwise agreed with the LPA. If within a period of five years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, unless otherwise agreed in writing with the Local Planning Authority.

Reason: This information is required from the outset 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).

56. Prior to the 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. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. Hours of lighting associated with the driving range will be restricted to avoid key periods for bat activity (sunset and sunrise) and retaining connected dark corridors for bats species throughout the site. The lighting scheme 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, highway safety and to ensure that local wildlife populations are protected having regard to policies DM5.19 and DM5.5 of the North Tyneside Local Plan (2017) and the NPPF

57. A Lighting Impact Assessment, including light spill plans, shall be undertaken within the first year of operation on site to monitor light spill from the driving range into adjacent woodland areas and to demonstrate that light spill is below 2 lux in these zones. In addition, a bat transect survey will be undertaken in the first appropriate season following the installation of lighting and operation of the scheme, to assess any impacts of lighting on commuting and foraging routes. The results of these surveys/assessments will be submitted to the LPA for approval and any adverse impacts associated with the lighting will need to be addressed through changes to lighting design or hours of operation.

Reason: In order 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).

58. No development or other operations shall commence on site until a detailed levels and contour proposal has been submitted to and approved in writing by the Local Planning Authority. No changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority. Any excavations within the RPA are not acceptable unless approved by the LPA prior to any works being undertaken and are to be undertaken by hand or suitable method such as an air spade.

Reason: This information is required from the outset 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).

59. 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 of :

- The number of existing trees to be translocated and details of their planting

- Details and extent of new native scrub planting and native woodland structure planting (including edge mix, infill planting and hedgerows)
- Details of planting to enhance existing woodland, scrub and hedgerows
- Details of wildflower meadow understorey and grassland creation
- Details of native planting to SuDs features such as attenuation ponds, ditches and swales and the existing watercourse
- Proposed timing of all new tree, shrub and wildflower grassland planting and ground preparation noting the species and sizes for all new plant species
- New standard tree planting including TPO replacement 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. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years for formal landscaping and 30 years for ecological landscape mitigation, 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.

Reason: In order to ensure that important features are protected and retained in the interests of amenity and biodiversity, to ensure a satisfactory standard of landscaping and in the interests of aviation safety having regard to policies DM5.5 and DM5.9 of the North Tyneside Local Plan (2017).

60. Prior to the commencement of development a detailed 30 year 'Ecological Management and Monitoring Plan' for the long-term management and monitoring of landscaping and wildlife habitats and species within the application site shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of long-term design, management and monitoring objectives, management responsibilities, timescales and maintenance schedules for all newly created and enhanced habitats within the site. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The plan will include the following:-

- Details on the creation, enhancement and management of all habitats identified within the Net Gain Report (Fen 2021) and approved Landscape Plans/Strategies, including enhancements to the existing watercourse.
- Survey and monitoring details for all newly created and enhanced habitats and associated species. Monitoring Reports will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report. Any changes to habitat management as part of this review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

Reason: This information is required from the outset 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).

61. Within one month of the commencement of development a detailed ten year 'Management and Maintenance Plan' for the management of formal landscaping (excluding those habitats identified within the 'Ecological Management & Monitoring Plan') within the application site shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed or paved areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

Reason: In order 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).

62. An arboricultural consultant is to be appointed by the developer to advise on the tree management for the site and to undertake regular supervision visits to oversee the agreed tree protection and visit as required to oversee any unexpected works that could affect the trees. The supervision is to be undertaken in accordance with the approved Arboricultural Method Statement. This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.

Reason: This information is required from the outset 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).

63. An Ecological Clerk of Works (ECoW) will be appointed by the developer to undertake a pre-commencement walkover and checking surveys and to advise on habitat and species protection and mitigation for the site. The ECoW will also undertake regular supervision visits to oversee the agreed habitat protection areas and visit as required to oversee any unexpected works that could affect habitats or species on site. The supervision is to be undertaken in accordance with the approved Landscape Ecological Management & Maintenance Plan (LEMMP). This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of regular monitoring and compliance by the pre-appointed ecologist prior to and during construction.

Reason: This information is required from the outset 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).

64. A pre-commencement ecological walkover survey will be undertaken by a suitably qualified ecologist prior to any works commencing on site and the results of this survey submitted to the Local Planning Authority for approval.

Reason: This information is required from the outset 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).

65. Notwithstanding Condition 1, prior to the commencement of the development an amphibian precautionary working method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement.

Reason: This information is required from the outset 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).

66. 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.

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).

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

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

68. Any areas of dense vegetation, refugia or potential nests for hedgehogs, will be checked and removed under supervision of the Ecological Clerk of Works (ECoW). Brush piles will not be removed between November and February or where temperatures are below 5 degrees Celsius to avoid disturbing hibernating hedgehogs. Provision of hedgehog gaps (13cmx13cm) will be provided within any new fencing within the scheme and details of these, along with details of new habitat creation for hedgehog shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any fencing and the development of the building above damp proof course level.

Reason: This is 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).

69. Trees on site will be checked for squirrel dreys prior to removal. If a squirrel drey is identified, a further survey will be required to confirm use and appropriate mitigation measures implemented as advised by the Ecological Clerk of Works (ECoW).

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).

70. Habitat piles will be created within the site for invertebrates and hedgehogs as part of the wider site clearance and under supervision by the Ecological Clerk of Works (ECoW).

Reason: In order 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).

71. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 10no. bird boxes (open fronted and hole fronted) to be installed at suitable locations in the development site, including specifications and locations, as well as 2no. swift boxes and 4no. swallow and house martin nest cups to be incorporated onto the new build in suitable locations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of the dwelling(s) on which they are to be installed and permanently retained.

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

72. An invasive species checking survey will be undertaken as part of the pre-commencement walkover survey. Any areas of invasive species will be fenced off and appropriately treated or removed from site by a specialist contractor. Details of invasive species control will be submitted to the Local Planning Authority for approval prior to development commencing on site.

Reason: This information is required from the outset 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).

73. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 8no. bat boxes to be installed at suitable locations in the development site, including specifications and locations and 2no. bat roosting features to be incorporated into the new build either through the provision of internal bat features (bat slates/panels/tubes), gaps under ridge tiles or gaps into boxed in eaves/behind fascia boarding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of the dwelling(s) on which they are to be installed and permanently retained.

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

74. The contractor's construction method statement relating to traffic management/site compounds/contractor access must be submitted in writing and approved by the Local Planning Authority and include tree protection measures for the trees to be retained and retention and protection of woodland, scrub and grassland habitat areas. Cabins, storage of plant and materials, and parking are not to be located within the RPA of the retained trees or woodland areas as defined by the Tree Protection Plan and maintained for the duration of the works.

Reason: This information is required from the outset 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).

75. A Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval prior to development commencing on site. The works shall be undertaken in accordance with the approved CEMP.

Reason: This information is required from the outset to ensure that local wildlife populations are protected in the interests of ecology and biodiversity having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan (2017).

76. Detailed drainage plans, including details of ditches, swales and attenuation ponds must be submitted in writing to the Local Planning Authority for approval within four weeks of works commencing. Details will include profiles, cross sections and planting of SuDs features. Any ditches, swales or attenuation ponds will be designed to provide ecological benefits, including appropriate native planting agreed by the LPA. The development shall be carried out in accordance with the approved details.

Reason: This information is required 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).

77. Prior to the commencement of any development, a detailed construction/pollution prevention monitoring plan shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a timetable for its implementation and detailed pollution prevention measures to ensure that there will be no contamination or pollutants entering nearby watercourses, wetlands or land. Thereafter, the development shall be carried out in accordance with these agreed details.

Reason: This information is required from the outset 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).

78. Details of a 'Watercourse Improvement Plan' for the site shall be submitted to the Local Planning Authority for approval within 4 weeks of works commencing on the development. The Plan will include details of watercourse management and maintenance, reprofiling and native aquatic planting. The watercourse will be maintained and improved in accordance with the approved plan.

Reason: This information is required from the outset 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).

79. Details of a monitoring & maintenance plan for the driving range netting/means of enclosure shall be submitted to and approved in writing by the Local Planning Authority for approval within 4 weeks of works commencing. The driving range netting will be monitored and maintained thereafter in accordance with the approved plan.

Reason: This information is required from the outset 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).

80. Prior to the commencement of the use of the development hereby approved, details of a scheme to provide three golf course apprenticeships and three hospitality apprenticeships over a nine year period shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To enable the Council to be put forward local eligible unemployed people with a view to securing work and training opportunities to encourage employment in accordance with Policy DM7.5 of the North Tyneside Local Plan (2017) and in order to ensure employment opportunities are provided as a result of the scheme having regard to the Planning Obligations SPD.

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 Construct Highway Access (I05)

Contact ERH Path Bridleway Xs Site (I07)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

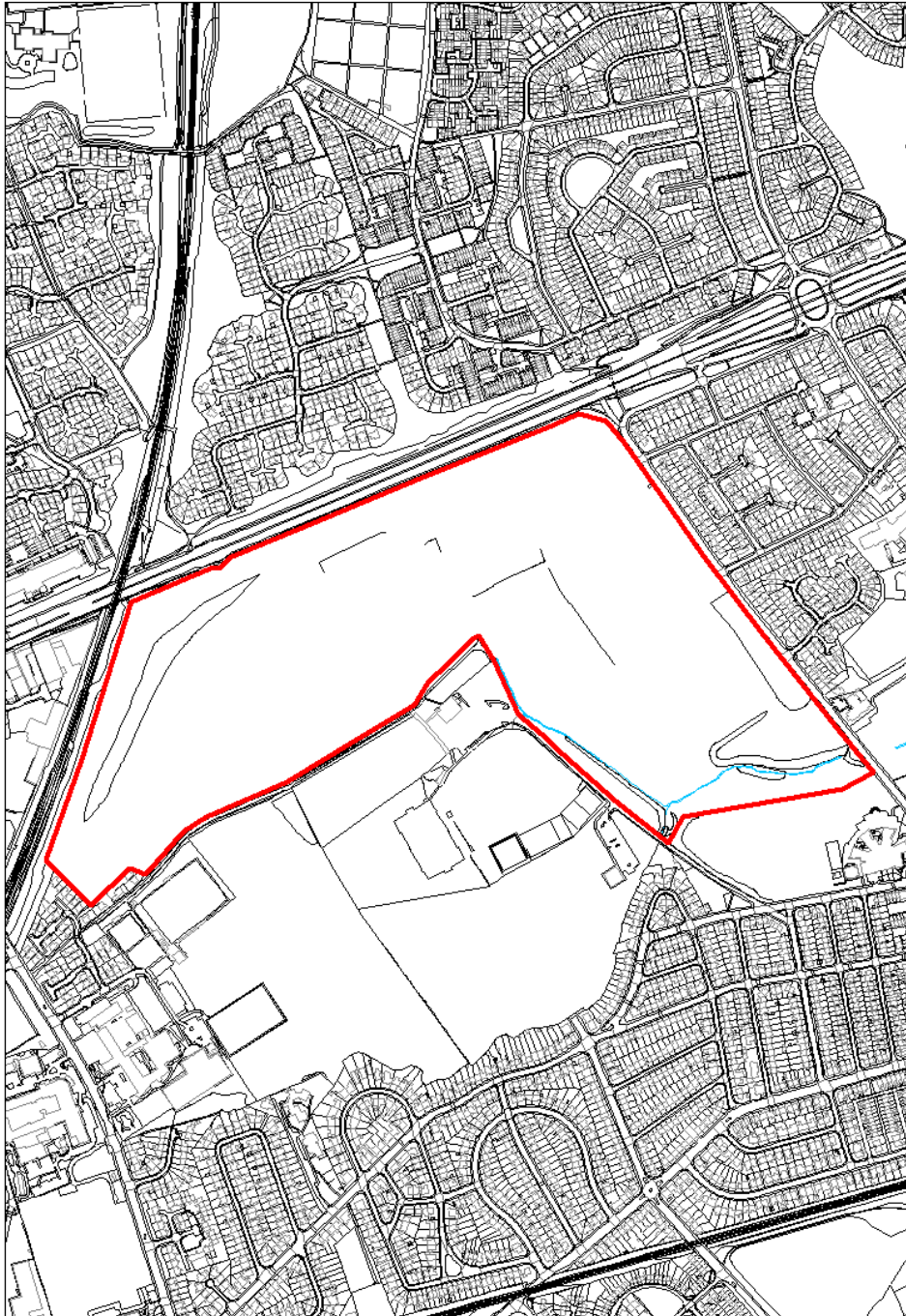
Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

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.

Free and full access to the Public Right of Way network is always to be maintained. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer. Prior to the commencement of works and upon the completion of the development the developer shall contact the council's Public Rights of Way Officer to enable a full inspection of the routes affected to be carried out. The developer will be responsible for the reinstatement of any damage to the network arising from the development.



Application reference: 20/01181/FUL

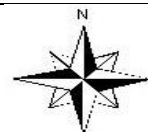
Location: Centurion Park Golf Club, Rheydt Avenue, Wallsend

Proposal: Construction of a driving range with associated parking, including ancillary sports bar/restaurant, pro shop, golf academy, golf club changing facilities, and function rooms, creation of a new vehicular access and reconfiguration of Wallsend Golf Course.

Not to scale

Date: 04.03.2021

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**Appendix 1 – 20/01181/FUL
Item 2**

Consultations/representations

1.0 Internal Consultees

2.0 Highways Network Manager

2.1 The application is a resubmission of an application previously refused by planning committee earlier this year. Whilst the internal layout has changed, the access from West Street is in the same position as the previous application and the secondary service access no longer forms part of the application.

2.2 The site is currently accessed via Rheydt Avenue, a non-adopted road to the south of the course which also serves Wallsend Boys Club & the former Wallsend Sports Centre site. The proposed access is via West Street which provides a more direct access to the A1058 Coast Road.

2.3 A Transport Assessment (TA) was submitted as part of the planning application that looked at the impact of the development on the local highway network and it is considered that in terms of capacity, the impact is not significant given the long established use on the site, however due to additional vehicles accessing the site from the Coast Road & Devonshire Gardens junction, a highway safety scheme is deemed to be appropriate for the Coast Road southern on-slip road.

2.4 A Framework Travel Plan (TP) has also been submitted as part of the application that will be developed when the operator commences operations on site.

2.5 Parking, cycle parking and the internal layout has been provided to meet the needs of the development and for these reasons and on balance conditional approval is recommended.

Recommendation - Conditional Approval

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

Provision of new access

Closure of existing access & reinstatement to footpath

Provision of highway safety scheme on the Coast Road southern on-slip road

Upgrade of footpaths abutting site

Associated street lighting

Associated drainage

Associated road markings

Associated Traffic Regulation Orders

Associated street furniture & signage

Conditions:

ACC11 - New Access: Access prior to Occ

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

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

No part of the development shall be occupied until a scheme for the following off-site highway works has been submitted to and approved by in writing the Local Planning Authority:

Provision of new access

Closure of existing access & reinstatement to footpath

Provision of highway safety scheme on the Coast Road southern on-slip road

Upgrade of footpaths abutting site

Associated street lighting

Associated drainage

Associated road markings

Associated Traffic Regulation Orders

Associated street furniture & signage

Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

No part of the development shall be occupied until a scheme for the provision of secure undercover cycle storage 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 before the development is occupied.

Reason: In the interests of promoting sustainable transport

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: In the interests of highway safety.

No part of the development shall be occupied until a scheme for the provision of Electric Vehicles (EV) charging points 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 before the development is occupied.

Reason: In the interests of promoting sustainable transport

No part of the development shall be occupied until details of a taxi & private hire servicing plan have been submitted to and approved in writing by the local planning authority. This plan shall include details of drop off & pick up points and allocated parking bays as necessary. Thereafter the taxi & private hire servicing

plan shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety.

Notwithstanding the Framework Travel Plan submitted, the full Travel Plan shall be developed as set out and implemented in accordance with the agreed details.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

Informatives recommended.

3.0 Local Lead Flood Authority (LLFA)

3.1 I have carried out a review of the surface water drainage proposals for planning application 20/01181/FUL, I can confirm in principle I have no objections to the proposals as the development will be providing attenuation within the site for a 1in100 year rainfall event + 40% increase for climate change. The surface water attenuation within the site will be achieved through the use of suds ponds, swale & underground storage crates. The surface water from the development will be restricted to the equivalent greenfield run-off rates and will discharge into the Wallsend Burn. These proposals will ensure the development does not increase flood risk both on and off site.

3.2 Can you ask the applicant to verify whether the proposed improvements to the Wallsend Burn (upstream from Prince Road culvert) as agreed in previous submissions are still part of the new proposals.

3.3 Officer note: the applicant confirmed these are still proposed and the LLFA has stated that this improvement will help reduce the impact of the development on the watercourse.

3.4 If granted approval I would recommend that the following conditions are placed on the application:

- Detailed drainage design to be provided to LLFA for approval before commencement of works on site.
- Details of the proposed petrol interceptors for the car parking areas and their maintenance regimes.
- Submission of watercourse consent form to be provided to LLFA for approval prior to any alterations within watercourse.
- Details of Pollution control measures to protect adjacent watercourse during construction phase to be provided to LLFA.

4.0 Biodiversity Officer & Landscape Architect

4.1 Introduction: The above development site is part of Wallsend Golf Club and is located south of the A1058 Coast Road with housing to the east, Wallsend Boys

Club, Rheydt Avenue and housing to the south and industrial units and a railway line to the west of the site. The site proposed for development is within the current golf course which contains large areas of semi-mature woodland, scrub and hedgerow planting throughout the site. Large areas of the woodland structure planting to the boundaries of the site are also protected by a Tree Protection Order (TPO). A watercourse also runs through the site along the southern boundary.

4.2 The proposal is to create a new sport and entertainment facility that includes a driving range with associated car parking including bar/restaurant, golf shop, golf academy, changing facilities, new access and reconfiguration of the existing golf course. The creation of a driving range also includes car parking, 35m high nets and associated supporting structures (pylons) around the driving range and the installation of flood lighting. New drainage is to be installed together with a SuDs system that connects into the existing water course. The SuDs system is comprised of attenuation ponds, swales and ditches which will allow drainage to be improved on site. In addition, a number of new footpaths are proposed around the driving range and around areas of the fairways some of which are routed through areas of existing woodland. The facility will operate between 07:00 and 23:00 on weekdays and 07:00 to 01:00 on weekends and will also include music being played between these operating hours.

4.3 Initial pre-application advice was provided as part of a pre-application submitted in 2018. The applicant was advised to design a scheme that minimised any impacts on the semi-mature woodland within the site.

Officer note: the pre-application was provided prior to the previous planning application 19/00833/FUL.

4.6 The entire site is designated as open space and located in a wildlife corridor as defined by the North Tyneside Local Plan which was adopted by North Tyneside Council in 2017 and sets out a number of policies to ensure sustainable development within the borough. The following Local Plan policies, therefore apply:-

- Policy S5.4 Biodiversity and Geodiversity
- Policy DM5.5 Managing Effects on Biodiversity and Geodiversity
- Policy DM5.7 Wildlife Corridors
- Policy DM 5.9 Trees, woodland and hedgerow

4.7 A number of supporting documents have been submitted with the application, including Ecology Surveys, Landscape Planting Strategy, Arboricultural Impact Assessment (AIA), Tree Translocation Strategy, Drainage Strategy, Drainage Ditch and Swale Details, Footpath Details and a Landscape & Ecology Mitigation and Management Plan. In addition to these documents, further information has been provided (January 2021) in response to advice provided by officers. This includes:

- Biodiversity Net Gain Report
- Mitigation Hierarchy Response
- Response to Council Consultation Comments
- Proposed Contours

- Course Re-design Construction Specification
- Robertson Protection Measures During Construction

4.8 Ecology:

4.9 Ecological Surveys have been undertaken on the site and include an ecological appraisal, breeding bird survey, bat transect survey, badger survey and an otter and water vole survey. Surveys recorded a number of urban birds breeding and foraging within the site, low levels of bats foraging and commuting through the site and hedgehog also recorded using the site. A total of 34 bird species were found using the site with 4 BoCC (Birds of Conservation Concern) red list species (starling, mistle thrush, song thrush and herring gull) and 6 BoCC amber list species (dunnock, willow warbler, bullfinch, swift, oystercatcher and mallard). A total of 5 UK S41 Priority Species (NERC Act 2006) were recorded within the site, including herring gull, dunnock, bullfinch, starling and song thrush. The bat transect surveys undertaken within the site showed low levels of foraging and commuting on site with a maximum of 10 bats recorded during the transect surveys and 33 passes during the static survey. Common Pipistrelle bat was the only species recorded.

Additional surveys indicate that the site is sub-optimal for otter and water vole with no signs of these species found along the watercourse. It is also considered unlikely that great crested newt would be present on site. No signs of badger were found on site and reptiles were considered unlikely to use the site due to a lack of connectivity to other suitable reptile sites. No red squirrel dreys were identified on site during the survey, however, the woodland plantation offers suitable habitat for this species.

4.10 Arboricultural Impact Assessment:

4.11 The development will require the loss of approximately 2.11ha of native broadleaf woodland. A Tree Preservation Order (TPO) protects trees located to the boundaries of the Wallsend Golf Course which looks to protect trees which make a significant contribution to their local surroundings or where their loss would have a significant impact on the environment and their enjoyment by the public.

4.12 A tree survey and Arboricultural Impact Assessment has been undertaken that categorises the quality of the trees. Of the 2.11ha of woodland to be lost, 1.80 ha (85%) are category B2 trees, i.e. trees of moderate quality and value, and of a condition that they make a substantial contribution to the site. Only 0.31ha (15%) have been assessed as category C trees, i.e. are considered to be of low quality and value, but of an adequate condition to remain in the short-term.

4.13 The vast majority of trees have been given an estimated contribution value of 40 years plus. This is the estimated length of time that a tree can be retained with an acceptable level of risk and is an indication that the trees are sufficiently structurally sound and could continue to make a safe and useful contribution to its surroundings for many years to come.

4.14 The tree survey information further assesses the trees into sub group. The majority of trees have been given a sub group of 2, which recognises the trees as having 'landscape qualities' i.e. *'Trees present in numbers, usually growing as*

groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality'. Therefore, Category B2 trees have value and are important enough to be considered a constraint to development.

4.15 Of the 2.11ha of trees to be lost, 903m² (4.3%) are trees protected by a TPO and comprises of both category B and C trees. These are G31(B), G32(C-part) G33 (B-part), G35 (B-part), G36 (B-part) G39(C-part) and G40 (C part). Details of the approximate number of protected trees to be removed is not available.

4.16 Scheme Impacts:

The direct impacts associated with this scheme include: -

- The loss of 2.11ha (21,100 sqm) of native broadleaved woodland including trees protected by a preservation order (TPO)
- Small areas of native scrub planting (approx.0.24ha)
- Loss of habitat supporting breeding birds and foraging and commuting bats

The indirect impacts are:-

- Impacts to a designated wildlife corridor as result of habitat loss and associated disturbance including noise (primarily from music), lighting (floodlighting) and 35m high netting and pylons around the driving range
- Potential further impacts on existing woodland/trees resulting from land level changes associated with the proposed 'Contours Plan' and the provision of drainage features and footpaths close to or through these areas.

4.17 By understanding site constraints at an early stage, more sensitive solutions can be achieved that look to retain and protect landscape elements of high landscape and ecological value. This aligns with guidance regarding the mitigation hierarchy. The Chartered Institute of Ecology and Environmental Management (CIEEM) '*Guidelines for Ecological Impact Assessment in the UK and Ireland*' states that a sequential process should be adopted to avoid, mitigate and compensate negative ecological impacts and effects. Negative impacts should always be avoided where possible, avoiding and/or minimising impacts through consideration of potential impacts of a project from the earliest stages.

4.18 In terms of the avoidance of impacts, whilst the applicant has set out a business and commercial justification for the current location of the scheme, the position remains that alternative locations or sites could have been investigated further to demonstrate that alternative options had been considered to avoid any environmental impacts. However, the applicant has minimised woodland loss within the site to 2.11ha by re-orientating and re-designing the scheme and it is acknowledged that by doing this, the larger and more structurally diverse woodland compartments that were originally shown to be removed, will now be retained. With regard to mitigation of impacts, the total loss of woodland planting is 2.11ha (21,100sqm) and it is proposed overall to provide 3.01ha of native structural planting which will include 2.56ha of native woodland planting, 0.45ha of native scrub planting and areas of infill planting. In addition, proposals include tree translocation, areas of wildflower planting, creation of SuDs features, improvements to the existing watercourse and enhancement of 12.57ha of existing woodland to improve its overall condition and biodiversity value. A Net

Gain Report has been submitted at the request of the LPA to evidence net gain in line with Local Plan Policy and this has shown an overall net gain of 0.69%.

4.19 Planning Policy:

North Tyneside Council adopted the Local Plan which sets out a number of policies to ensure sustainable development within the borough and development of this site is guided by the policies referred to above. These should be considered as a material consideration in determining the application. Comments in relation to these policies are set out below:

4.20 Policy DM 5.9 Trees, Woodland and Hedgerows

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

A. The Council will support strategies and proposals that enhance the overall condition and extent of trees and woodland in the Borough, and:

B. Protect and manage existing woodland, trees, hedgerows and landscape features.

C. Where appropriate, secure the implementation of new tree planting and landscaping schemes as a condition of planning permission for new development.

D. Where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes.

4.21 The above policy clearly states the Council will '*Protect and manage existing woodland, trees, hedgerows and landscape features*'. This development will require the loss of approximately 2.11ha broadleaf plantation woodland, some of which, is protected by a Tree Preservation Order (TPO).

4.22 Of the total area of trees to be lost to facilitate the development, 85% are Category B trees. Category B trees particularly if protected by a TPO, have value and are important enough to be considered a constraint to development and could potentially be retained.

4.23 Furthermore, it should not always be assumed that category C trees can automatically be removed due to their low retention value. Category C is usually given to trees where they are considered to be of low quality *but* adequate for retention for a minimum of 10 years expecting new planting to take place. However, many of the category C tree groups have been given a reasonable useful life (in some cases 40+ years). Category C trees should only be removed where it is sensible and reasonable due to other site related factors. In the case of this development, category C trees provide valuable habitat, and contribute to the wider wildlife corridor, therefore, Category C trees have a place in the landscape and can be considered a site constraint.

4.24 The protected trees along West Street provide a locally distinctive unbroken landscape feature and are prominent against the skyline. They make a positive contribution to the local landscape character, provides a setting (i.e. the tree group along West Street is such a size that that can be seen) and plays a role in providing key aesthetic views from various public locations as well as contributing to the wider wildlife corridor. Visual appreciation is a consideration when making

judgements about landscape quality, and the tree groups along West Street provide high visual amenity and landscape value that makes them worthy of protection and retention.

4.25 The trees within the site, whilst have no public visibility are just as valuable. Overall, the physical state of the tree groups within the site is good, they are not in decline and the landscape is visually and functionally intact. The landscape has not experienced any decline in quality, but the proposed development site offers changes that could impact the wildlife corridor and an alteration to character. This woodland has matured over time into a good quality broadleaved woodland which supports a variety of native tree species and canopy heights with associated shrubs and herb layers which make these areas valuable for biodiversity.

4.26 The value of trees to humans, wildlife and the environment is well recognised. Trees are an important feature in urban and rural landscapes and make a significant contribution to the character and quality of our landscape. The woodland also provides valuable habitat for a range of wildlife species including foraging and commuting bats, breeding and foraging birds, small mammals and invertebrates. Dead wood and decaying leaf litter are evident in the woodland and there are visible signs of regeneration and small areas of open glades. These woodland areas are therefore, valuable habitats, supporting wildlife and contributing to the quality and connectivity of the wildlife corridor.

4.27 The importance of retaining and protecting trees in the landscape is now being recognised as playing an important role in absorbing and storing carbon emissions as well as providing screening, filtering traffic noise and absorbing dust and other pollutants. Furthermore, the council has declared a Climate Emergency and is committed to preserving the environment by reducing the council's carbon footprint by 50% by 2027.

4.28 Any tree removal should therefore be carefully considered and is unfortunate that such a large area of woodland will be lost to accommodate the scheme. There is the potential for further tree loss or impacts to trees associated with the contour level changes that are proposed for the fairway re-configuration and the new SuDS areas. In some locations these works will be in close proximity to retained woodland areas. However, detailed planning conditions can be applied to ensure any potential further loss of trees is avoided and mitigation measures are in place.

4.29 The application proposes 3.01 ha of native structure planting and 12.57ha of woodland enhancement to mitigate the impacts of woodland loss

4.30 Policy S5.4 Biodiversity and Geodiversity

The Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance. Priority will be given to:

b. Achieving the objectives and targets set out in the UK Post-2010 Biodiversity Framework and Local Biodiversity Action Plan;

c. Conserving, enhancing and managing a Borough-wide network of local sites and wildlife corridors, as shown on the Policies Map;

4.31 The Newcastle & North Tyneside BAP lists a number of habitats and species which are of importance both nationally and locally and require action to prevent their loss. Native Woodland is one of the habitats that are listed with a key action to: *“Maintain the current extent of native woodland. Where development may lead to loss of woodland, ensure adequate mitigation or compensation”*. This scheme does not maintain the extent of woodland on site, with the loss of approximately 2.11ha. However, mitigation has been proposed which includes 3.01ha of native structure planting, including native scrub, and small areas of wildflower grassland (0.08ha). In the short term, the proposal of 3.01ha of new woodland planting, the majority of which will consist of juvenile tree planting, will not immediately provide the same ecological and environmental benefits that the current semi-mature woodland provides, however, in the medium to long term, once this planting matures (15-20 years) there will be a net gain in woodland planting. The applicant is also proposing to translocate a number of existing semi-mature trees within the site to ensure that some of the larger and more valuable specimens are not lost. In addition to tree planting, wildflower understorey/ grassland areas will also be created, the existing watercourse will be enhanced with planting and 12.57ha of existing woodland on site will be enhanced (managed) to improve its current condition. The SuDs scheme within the site, if designed and planted correctly, may also provide some biodiversity benefits.

4.32 Whilst the ecological surveys submitted by the applicant show the diversity and numbers of breeding birds and foraging/commuting bats to be relatively low, the surveys demonstrate that these habitats are being used by protected species; urban birds for nesting, foraging and roosting and by bats for foraging and commuting and, therefore, these habitats are of ecological value, particularly within the wildlife corridor.

4.33 The UK Post-2010 Biodiversity Framework (Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services) sets out a strategic plan for biodiversity following the recommendations of the Lawton Report (2011) and the Natural Environment White Paper (2011). The mission for this Strategy is to; *“halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people”*.

4.34 The current proposals to remove 2.11ha of woodland will have an impact on a designated wildlife corridor, through habitat loss and indirect impacts associated with lighting and noise (predominantly music associated with the driving range) in an area that is currently unlit and with no built form. Whilst noise and lighting impact assessments have been submitted and it is acknowledged that light and noise spill into remaining woodland and habitat areas can be controlled to an extent, there will be lighting and noise impacts associated with the driving range itself, an area which is currently unlit and not subject to these levels of disturbance. However, the submitted Lighting Impact Assessment shows that light spill beyond the driving range into valuable areas of woodland habitat, have been minimised to low levels of around 1 lux on average, which are

considered acceptable and should not have an adverse impact on the ability of Common Pipistrelle bats to forage and commute along woodland boundaries. Restriction of hours of lighting (as recommended in the Bat Survey Report submitted by the applicant) to avoid key periods for bat activity (i.e. sunset and sunrise) and retaining connected dark corridors for bats species throughout the site, would also help minimise impacts on commuting and foraging bats.

4.35 In addition, 35m high nets and a supporting framework (pylons) are also proposed to surround the driving range. Information submitted by WYG states that the netting will not impact breeding birds and bats as they will be able to avoid this feature. Whilst this may be the case, the netting creates a barrier within the site that wildlife must avoid. However, the applicant has submitted a document regarding the monitoring of netting to prevent the trapping of wildlife with appropriate action taken if required.

4.36 Policy DM5.5 Managing Effects on Biodiversity and Geodiversity
All development proposals should:

- a. *Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,*
- b. *Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,*
- c. *Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate*

4.37 Proposals which are likely to significantly affect nationally or locally designated sites, protected species, or priority species and habitats (as identified in the BAP), identified within the most up to date Green Infrastructure Strategy, would only be permitted where:

- d) *The benefits of the development clearly outweigh any direct or indirect adverse impacts on the features of the site and the wider wildlife links;*
- f) *For all adverse impacts of the development appropriate on-site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals. This must be accompanied by a management plan and monitoring schedule, as agreed by the Council.*

4.38 Net gain is a requirement of the above policy (part c) and paragraph 170 (part d) of NPPF which states '*planning policies and decisions shouldidentify and pursue opportunities for securing measurable net gains for biodiversity*'. Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before. It is considered vital in sustaining our society and the economy and improving biodiversity should be considered integral in achieving a fully sustainable development. Guidance from the CIEEM (Chartered Institute of Ecology and Environmental Management) states that net gain involves '*first avoiding and then minimising biodiversity loss as far as possible and achieving measurable net gains that contribute towards local and strategic biodiversity priorities*'.

4.39 This scheme will result in the permanent loss of approximately 2.11ha of plantation woodland. Mitigation has been proposed by the applicant, as shown on planting plans, which includes 3.01ha of new native structure planting and 0.08ha of wildflower grassland. It is also proposed to enhance 12.57ha of retained woodland as well as enhancing sections of the watercourse which run through the site. At the request of the LPA, the applicant has also submitted a Net Gain Report to demonstrate that the mitigation measures submitted to address habitat loss will adequately mitigate and provide net gains in line with Policy DM5.5 and Paragraph 174 of NPPF. The Net Gain Report uses the Biodiversity Metric Calculator (Beta Version 2.0) to input baseline habitat information, habitat losses and habitat creation and enhancements. This has been undertaken using existing ecological survey information and associated technical documents to assess habitat condition. The report documents new habitat creation (native woodland and scrub) in addition to habitat enhancements (retained woodland enhancement) and this results in a net gain of 0.69% in habitat units and 10% net gain in hedgerow units, which demonstrates that the mitigation being provided is in accordance with the above Policy.

4.40 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

4.41 The entire scheme is within land that is designated as a wildlife corridor as shown on the Policies Map. The most effective way to prevent biodiversity loss is to keep landscapes connected. The introduction of the development within a wildlife corridor where there has been no previous intervention and requires the removal of significant areas of established and protected woodland habitat does not '*protect and enhance the quality and connectivity of the wildlife corridor*'. This is also supported by the information provided in the WYG Breeding Bird Survey report which states that the woodland, hedgerow and scattered trees should be retained within the development site wherever possible, in order to retain the functionality of the North Tyneside Local Plan wildlife corridor (Paragraph 6.3.2 Page 24). It also recommends that woodland should ideally be retained on site due to the time required for these habitats to re-establish and become suitable to support the species currently utilizing this habitat (Paragraph 6.3.1 Page 23).

4.42 Wildlife corridors and the connectivity they provide are important linkages between habitat areas, enabling migration, and re-colonization at a local level. Habitat fragmentation limits species movement, impairing some animals' ability to find food, and shelter. Additional impacts associated with the scheme such as lighting and noise disturbance will be imposed in areas which are not currently subject to these impacts. The development itself, the associated additional hard surfacing and barriers (the driving range will require tall netting and poles to keep golf balls contained within the facility) can lead to fragmented habitats that constrain wildlife movement. The 35m high netting that supports lighting is to be located within the wildlife corridor and positioned against existing woodland habitat that may impact wildlife. In response to this issue, the applicant has

submitted a statement committing to the monitoring of the netting with appropriate actions to be undertaken when required to prevent wildlife harm.

4.43 Noise and artificial lighting within the wildlife corridor, particularly in areas that are currently not subject to these levels of noise and lighting, will have an additional adverse impact on wildlife, the combined effects from noise and lighting generated from the development within a wildlife corridor could potentially continue well into the night time period. The development will generate noise from ancillary plant and car park activity; amplified music during events (which has the potential to continue well into the night time period); car park activity after events and background music from the golf driving bays, so noise generated at whatever level, will be constant. Artificial lighting associated with the building and driving range is anticipated to be used within the pre-curfew period of 07:00-23:00. The applicant has submitted a Lighting Impact Assessment, which shows that light spill from the floodlit driving range into adjacent woodland areas would not exceed 1 lux on average, therefore, common pipistrelle bat foraging and commuting along woodland boundaries of the site should not be adversely impacted. However, the application of a condition to restrict hours of lighting to avoid key periods for bat activity could also help minimise impacts on foraging and commuting bats.

4.44 Whilst there will be impacts within the wildlife corridor associated with the scheme (habitat loss, lighting and noise) the creation of new habitat (woodland, scrub and wildflower grassland) and SuDs features, lighting that is designed to minimise light spill and the delivery of woodland enhancements (12.5ha) and watercourse improvements, should ensure that overall the integrity and functioning of the wildlife corridor is not compromised. Site works associated within root protection areas of retained trees, such as level changes and the creation of footpaths and SuDs features, could also lead to further tree removal. Conditions will, therefore, need to be applied to ensure that appropriate engineering solutions prevent the common problems of tree damage, dieback or removal.

4.45 Conclusion:

It is accepted that developments on a scale such as this are rarely without harm and this application has raised a number of environmental concerns. The application will result in the loss of a large area of established woodland and there will be increased lighting and noise within a wildlife corridor. Potentially a smaller facility in a different location would provide reduced environmental impacts but the applicant has, however, looked to address or minimise the impacts in relation to the current application. Whilst the scheme will result in the loss of 2.11ha (21,100sqm) of semi-mature woodland, the applicant has demonstrated that new native woodland planting and proposed enhancements to the existing woodland, in addition to other measures, will deliver adequate mitigation for this loss and will achieve a net gain (0.68%) across the site, in accordance with the Local Plan policies. Planning conditions will ensure that the scheme can be delivered with minimal harm to the landscape and wildlife and ensure long term biodiversity benefits.

4.46 If the Local Planning Authority are minded to approve the application, the following conditions will need to be attached to the planning application:-

Protection of retained trees/shrubs/hedges
Arboricultural Impact Assessment and Arboricultural Method Statement
Tree Protective Fencing
Implementation of Tree Protection during development
TPO Replacement Tree(s)
Lighting
Lighting Monitoring
Protection of trees in relation to levels survey
Landscape scheme
Landscape Management Plan – 10 year plan
Ecological Management & Monitoring Plan – 30 year plan
Arboricultural supervision
Ecological supervision
Pre-commencement Walkover
Amphibian Method Statement
Bird nesting season
Mammal Protection
Hedgehogs – habitat creation and hedgehog gaps
Squirrels – checking for dreys
Habitat Piles
Bird Boxes
Invasive Species checking survey
Bats
Construction Environmental Management Plan
Construction Management Plan
Drainage
Pollution Control
Netting

5.0 Environmental Health (Pollution)

5.1 The facility will be located adjacent to residential properties on West Street. I have concerns with regard to potential noise arising from the development such as plant noise, customer noise and music affecting the neighbouring residential properties.

5.2 I have viewed the air quality report that has considered potential construction impacts arising from dusts and operational phase potential impacts. It is considered that risks from dust and fine particulates arising from the construction phase can be mitigated through a dust management plan and this can be conditioned. Air quality impacts arising from the operational phase are determined to be negligible and not significant based on the predicted traffic movements associated with the development. Although the site is on the boundary of an NO₂ exceedance area for the A1058 Coast Road; the number of additional trip movements east and west along the Coast Road is considered to be negligible.

5.3 I have viewed the noise assessment report. This has considered noise arising from the golf building including amplified music, external plant and equipment, car park noise and customer noise.

5.4 The noise assessment has taken background noise levels for the area and determined that daytime background noise is in the region of 50 dB LA90 and night time is 40 dB LA90. Noise from external plant and equipment has been assessed in accordance to BS4142 and established that noise levels will not exceed the existing background noise levels for the area. A planning condition will be required to verify that the operational noise levels do not exceed the existing background noise levels.

5.5 I would have concerns about early morning grass cutting operations that can start at 5:00 hours. Although the maintenance building is located to the west of the golf course away from residential properties on West Street and noise from accessing the building during the early morning will be mitigated, I would still have concerns with regard to early morning noise from the cutting activity for those greens closest to West Street. As noise from grass cutting is not anonymous like road traffic noise, which is the dominant noise in the area, I would recommend that this activity is restricted during the early morning period. I would therefore recommend a condition is imposed to require to ensure the greens located adjacent to West Street are cut after 07:00 hours Monday to Saturday and 09:00 hours on Sundays.

5.6 Background music for the golf driving bays has been assessed based on a typical level of 68 dB(A) for each speaker within the bay. The golf driving bays are screened by the building itself and therefore the noise assessment has determined that the amplified music will be inaudible for residents located in West Street.

5.7 The noise assessment for functions has been based on worst case. This was based on noise monitoring of amplified music from a similar function. This has indicated that potential noise arising from the assessment of a similar function would not give rise to noise levels likely to give rise to significant adverse impact for the maximum noise levels generated at the nearest sensitive receptors as the overall noise levels would not exceed the background noise levels.

5.8 Noise arising from functions at the site including customer noise and noise from the car park has been predicted to result in a noise level of around 43dB(A) at the nearest residential properties on West Street, which is below the existing daytime noise levels and 3 dB above the night time background noise level. This would not be considered to result in an adverse impact for nearest receptors. I would therefore recommend a condition to require a noise management plan for controlling noise from customers leaving the venue and use of the car park if the operating hours are to be permitted to 01:00 hours on a Friday and Saturday.

5.9 The use of external balcony and outdoor areas can be controlled via a condition to restrict to no later than 9pm and the golf driving bays to 11pm. This will minimise customer noise late evening.

5.10 No information has been provided on the restaurant/café for odour control from the kitchen areas. The kitchen extraction system should be based upon the DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems". This information should be provided with the planning application to allow an assessment of odour and noise. Full details on

the proposed extraction system need to be provided to fully determine this application. No system provides 100% removal of odours and this will result in potential odour impacts affecting the nearby residential properties. Information on the maintenance of the extraction system should also be provided. The effectiveness of the extraction system would be dependent upon the type of cooking taking place in the kitchen and the proposed residence time for the air flow.

5.11 A lighting assessment has been provided that has calculated the illumination levels arising from the external lighting at the development. This indicates that the nearest sensitive receptors will not be subject to any increase in lighting levels at the residential facades

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

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.

NOI02

A noise scheme must be submitted for all plant or equipment installed at the site. The rating level for all plant must not exceed the current background noise levels as provided in noise assessment report reference NT14003 of 50 dB LA90 1 hr daytime and 40 dB LA90 15 min for night time, when assessed in accordance to BS4142 at the front façade of residential properties on West Street.

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.

NO104

Deliveries and collections to be restricted to between 07:30 hours and 23:00 hours.

Door and windows in the restaurant and function rooms must be kept closed whenever live or amplified music, in the form of Discos and DJ's, is played at the premises.

A noise management scheme must be provided in writing to the Local Planning Authority that details the measures to be implemented and thereafter retained to minimise noise impacts of events held within the function room and restaurant to ensure all activities and use of the premises is suitably mitigated via sound control measures.

External seating areas and balcony areas to be restricted for use to between 08:00 to 21:00 hours.

Golf driving bays to be restricted for use to between 08:00 to 23:00 hours.

Grass cutting activities for the greens located adjacent to West Street to be restricted to 07:00-21:00 hours Monday to Saturday and 09:00 - 21:00 hours on Sundays.

HOU03 to those on application

LIG01 - to be implemented in accordance to the submitted lighting assessment.

REF01

REF02

6.0 Environmental Health (Contamination)

6.1 The reports and Information supplied with the previous application confirm that no gas protection measures are required and no contamination issues have been identified.

7.0 Design Officer

7.1 The development site occupies the north eastern area of the Centurion Park Golf Course. The siting of the proposed building, car park and driving range are well located to minimise the visual impact of the scheme and the impact on the nearby residential area.

7.2 The driving range is aligned with the A1058 Coast Road. Two 3D visual images have been submitted showing the proposal from the Coast Road. These show that some of the lattice towers and nets (up to 35 metres in height) that enclose the driving range can be seen from the Coast Road, however a large part of them are concealed by landscaping. The parts that are visible cause some harm to the character and appearance of the area. The impact, however, is much reduced when compared to the previous application. It is also noted that the design is improved with a tapering down in height of the lattice towers and nets away from the driving bays.

7.3 The entrance to the site on West Street is located where there will be the least impact on existing trees. From the approach to the site along West Street, there is likely to be some views of the new building although this would be mitigated by existing and new landscaping. Computer generated images have been submitted to support this. There is a separate pedestrian access off West Street which involves the removal of a large area of trees. There seems to be a more appropriate point for pedestrian access to the south of the proposed area which would result in fewer trees needing to be removed.

7.4 The building is two storeys with a third storey mezzanine level in parts. Further detailed floor plans are needed to more clearly show the first floor and mezzanine elements of the building. The overall building height reflects a three storey building to the front. Development around the site is generally two storeys. The proposals include new planting that enhances existing tree groups as well as creating new areas of planting which will help the building to sit more comfortably within its setting. New avenue tree planting will also help to create a positive sense of arrival to the new building.

7.5 There have been previous concerns about the size of the building which still remain, however the applicant has said that the size is dictated by the use. The design of the building has been carefully considered in order to help reduce its

scale. For example, single storey elements have been introduced to reduce the visual massing. This has involved recessing first floor sections to create terraces. The recessed first floor elements propose a different cladding arrangement to contrast with the principal elevation. The overall design of the building has a contemporary aesthetic which has been specifically designed for the site and surroundings. Materials have been identified to assist with a sensitive high-quality design although all materials should be conditioned if the application is approved.

7.6 The proposal includes a separate machinery shed located to the south of the site off Rheydt Avenue. This is a simple and functional design which is proposed to be constructed in a dark grey metal cladding and grey brick. The location for the building is considered to be appropriate and will minimise issues of noise and disturbance. Computer generated images have been submitted which show that the machine shed will not be visible from Rheydt Avenue.

7.7 The proposal would result in the removal of trees which contribute towards the character and appearance of the area. These are both within the site and along West Street. The loss of trees will result in a change to the character of parts of West Street and the site will be more visible within the wider area. Replacement planting will take a long time to mature and therefore the size and maturity of new planting should be conditioned. The Landscape Officer and Ecologist will provide further comments on the impact of the loss of landscaping and the suitability of mitigation measures.

7.8 Overall, the revised design in this application addresses many of the previous concerns and the building design and materials seek to achieve a high-quality design. Where concerns remain, such as the view of the lattice towers, the impact has been minimised both through the new location and a reduced height in parts. The outstanding matters which I would like further information/discussion on is:

- First floor and mezzanine plans.
- Location of pedestrian access from West Street.

Officer note: the first floor and mezzanine plans have been submitted.

8.0 Public Rights of Way, Definitive Map & Cycle Network Officer

8.1 West Street is a key corridor cycle link between Coast Road and NCN72 (Segedunum) - the new access point needs to retain priority for pedestrians/cycles. Query whether a contribution could be made to the whole line. Cycle parking within the grounds needs to be in at the main entrance, overlooked and include lighting.

8.2 There is also a Bridleway through the centre of the existing grounds. Will the development merit the resurfacing of the path and a heavy cut along the vegetation plus new signage?

9.0 Representations

9.1 Wallsend Boys Club

9.2 This letter is sent in support of the application.

9.3 The Trustees of Wallsend Boys Club embrace and support any activity that encourages the young people of Newcastle, North Tyneside and the surrounding

area to participate at any level of support. As such, and with particular reference to the proposed Golf Academy that will be part of the development, we support in principle the plans for a Golf Centre at Centurion Park. We feel there will be a great deal of synergy between what the Boys' Club does and the plans of the Golf Centre to attract families and young people to the game.

9.4 It is also a fact that Wallsend has produced several local and respected PGA professionals and we see the development of a dedicated Golf Academy as part of the development as a fantastic opportunity for young people, enabling them to complete, perhaps on a global scale, with youngsters from more privileged backgrounds who may be more familiar with the game.

9.5 Wallsend Golf Club Committee

9.6 Despite our concerns regarding the redesign of the course, we, the committee, are in support of the significant improvements in respect of course drainage and the new clubhouse.

9.7 For many years it has been apparent that improvements were necessary to the clubhouse and the drainage on the course. The course is currently only playable during dry summer months and is often closed during wet winter months. The proposed drainage will ensure the course is playable for much of the year which is vitally important to progress the participation of golf and increase membership.

9.8 Our concerns are related to the re-configuration of the course from an existing 18-hole format to a 12-hole format. However, we appreciate the concept and welcome the easier formats of the game which will allow greater flexibility for new and fringe players.

9.9 The new facilities will also attract younger new participants to golf which will further expand WGC membership, in line with a thriving economy, which is vitally important to the longevity of the club.

9.10

30 letters of support from 30 addresses on the following grounds:

- I support this application
- Look a great scheme
- As a property owner in the NE28 postcode, I have been following the progress of the revised application for Centurion Park and I support the application.
- The new location of the facility will take traffic away from the Western Primary School during peak times making it safer for the children and parents.
- The revised new location of the clubhouse and driving range will no longer tower over West Street residents.
- The continuation of Wallsend's regeneration desperately needs this type of investment.
- Part of my role is to enable community access to sport so this facility would be an asset to North Tyneside as it will help increase participation in sport. I also have family in the area and feel it would be a positive as it will provide jobs for local people.
- The development will bring jobs, both direct and indirect through the supply chain, and investment into Wallsend. There is currently nothing like it in the whole

of the North of England and Wallsend can once again be proud of its facilities and it can revitalise the area bringing in tourists and golfers as a destination in itself.

- Golf is one of the few sports that will be permitted in this era of Covid-19; the developers have obviously listened to and addressed the reasons for the first refusal.

- If this is refused what does the future hold for Centurion Park which plainly needs investment in the infrastructure despite the best efforts of the ground staff who have worked wonders on a limited budget which will only decrease without a surge of new players which the Centre can provide.

- Golf, like many other things, is changing with this new layout allowing people to access the game without having to play the full 18 holes - this will encourage new players, especially younger players and families which must be good for the game.

- The whole of the North East desperately needs investment and this could be a real sector leader about which other leisure operators will take notice and look at the region for their own plans.

- As a current member of Wallsend Golf Club, I cannot wait to see this planned new development take place. North Tyneside has been screaming out for state of the art development like this. It will be great to see a huge investment in the new clubhouse and facilities, I personally cannot wait to be able to play golf all year around.

- This new extension and new planned work make the golf club a lot better, creating jobs and improving the total area around the Wallsend area bringing more golfers and increasing financial income into local shops.

- Unfortunately, the course and buildings are in a sorry state. The improvements offered would potentially generate extra income.

- As the residing PGA professional at Centurion Park I have nothing but support for this development. Golf is a true passion of mine which I wish every person could partake in. This development would open the door to golf for the local community, from young to old, beginner to expert. This would ignite a passion which would positively impact the health and wellbeing of the residents of Wallsend and beyond.

- The golf academy will make centurion park one of the leaders in modern golf technology, giving access to ground breaking golf ball flight analysis. The PGA recommend that this is the most effective teaching tool in current times and access to this technology will actively create a generation of better, more engaged, competent golfers originating from the heart of the North East.

- Golf without a driving range is not an easily accessible sport. At Wallsend we have always had this luxury that has opened the door for many who would never have considered the sport. Our facilities deserve the update that they so desperately need and this opportunity to improve the local area is too valuable to turn down.

- I hope that everyone can see the intrinsic value in this regeneration and will show support for this vital project.

- I believe that this scheme is an exciting proposal which will create a tremendous attraction not available anywhere else in this region. The revised location will be further away from the houses on West St. whose occupants had worries about noise levels & the planners appear to have taken note of these and other objections to the original plan. Surely any proposal of this nature should be

welcomed as a much needed boost to the amenities of Wallsend. Let us be progressive & welcome this

- Great idea for sport in the community.

- North Tyneside should embrace its potential to engage the next generation of golfers (a sport that is in decline and in need of a total refresh) as well attract users not just from within the Borough but regionally.

Moreover, Wallsend Golf Club has been tired, in membership decline and somewhat washed out for several years now, and it is desperately in need of significant investment to ensure the survival of this significant leisure facility. This transformation will redefine the concept of "golf" in the north-east region, will attract new entrants and provide the local authority with new employment opportunities.

- As a long time member of the golf club I feel that if this application is rejected there will cease to be a Wallsend golf club. I cannot believe that the council will turn down such a massive investment for the good of the area.

- Wallsend golf club has been a great part of the community since 1972. Myself and at least 5 other Wallsend juniors have become PGA professionals, all of us being from working class backgrounds. These new facilities will ensure the future of golf in North Tyneside and give scores of young people the opportunity to learn some real life skills and allow thousands of local people to enjoy some world class golf facilities

- I think the redevelopment of Wallsend golf course and driving range is a great idea. As a former member of over 10 years at the club I think it's long overdue, the club has been supported by loyal members for years and they now deserve to be playing at top facilities. It will also have a great impact on the surrounding community with a bigger influx of members and visitors to the course and the range. Finally a club the area can be proud of!

- I am a casual golfer and welcome the forward thinking plans to make different playing options for golf. I struggle to find time to play 18 holes so 12 and 6 appeal to me greatly. I have played a lot more recently due to covid, this type of improvement is urgently needed for the local area. I use driving ranges and the prospect of this new far superior experience sounds amazing.

- The redevelopment would be fantastic for the area. I've personally had lessons/played with the club pro on many occasions who does an exemplary job representing the club and in my opinion would be able to do a better job given the upgrade in facilities proposed

- I think this is a fantastic plan. I live about a mile away from the golf club and have recently got back into golf. I work in the city centre and find it very difficult to find time during the week to play/go to the driving range. I have used the driving range and course a few times but the facilities don't stack up to those further afield. Because of this I am taking lessons elsewhere and usually play elsewhere. A facility like the one proposed, would be a much more attractive option to walk to after work hit some balls or play 6/12/18 holes. This will attract many people like me as well, those that live in and around the city centre and want somewhere quick to get to after work.

- I note a few commenting that the club is busier than ever and doesn't need this. It may well be but these are not normal times and we will return closer to normal. When people once again have more demands on their time, will they still come to Wallsend in its current state?

- I also note concerns about the location of the driving range next to the coast road. These are understandable, however I understand there is to be a fence/net

higher than the one currently on the driving range. I'm sure these concerns can be mitigated

- I fully support the plans for this amazing looking development at Centurion Park in Wallsend.

I have lived in the North East of England all my life and have played golf from the age of 10, playing courses all over Northumberland and Tyne and Wear as part of the junior golf leagues. Golf was a popular sport when i was younger, however the appeal to many people seems to have dwindled, especially the younger generation.

- Having an exciting new development like this in the North East only has positives in my opinion. It will create jobs, a fun exciting place for families to spend some time together as well as helping a sport that has struggled of late.

- Golf provides an excellent form of exercise for all generations which is vitally important, highlighted even more during the current pandemic.

- I think this state of the art development will attract people from all areas due to its unique features and not just the people of Wallsend. It will be a place for children to occupy themselves and to turn their boredom into fun, and potentially, a lifetime hobby.

Wallsend needs a project like this, as does the North East

- What an exciting project for golf and for the area. An amazing facility with huge investment and a commitment to grow our amazing game of golf by making golf accessible to everyone. This will offer something different. Something new and unique and will help pave the way to a new era in golf.

- I understand why some in the golfing community might have some concerns but they needn't have. This facility really will offer something for everyone - while respecting golfing tradition and offering the traditions of club life. Facilities like this will help golf rejuvenate and grow.

- Proposals for Junior Golf are really encouraging too. With impressive plans to develop an amazing Junior programme/pathway/section with strong links to the junior golfing community, with local schools and the local community. There will be support throughout the pathway with a huge emphasis on lifelong participation as well as supporting the development of serious golfers.

- Golf at HotShots Golf Centre really will be for all. Golfers and none golfers alike, for families and friends, for first experience golfers to elite performers and from the young first timers to the lifelong club golfers. I fully support this project with some excitement and anticipation.

- Facilities such as these are hugely beneficial to both golfers and non golfers alike. Not only will this provide jobs to the local community, but also will be an excellent venue for people to practice a hobby they love.

With no other project like this in the area, I'm sure it will be hugely beneficial to all concerned. I know from my position as County PGA Secretary, it will be a facility that will be supporting, as it will be a positive to our association.

- I believe this development would be fantastic for the area. Providing new facilities for junior and adult golfers alike.

- The facilities will bring jobs to local community, and improve sporting facilities, including those for local youth. This facility could provide opportunities for local school children which currently do not exist.

- Excellent news for all concerned and the area as a whole, can only be good even for visitors from outside the area like me.

9.11 45 letters of objection from 23 addresses on the following grounds:

- Adverse effect on wildlife
 - Affect character of conservation area
 - Impact on landscape
 - Loss of/damage to trees
 - Out of keeping with surroundings
 - Inappropriate design
 - Loss of residential amenity
 - Loss of visual amenity
 - Poor traffic/pedestrian safety
 - Nuisance - disturbance
 - Nuisance - dust/dirt
 - Nuisance - fumes
 - Nuisance - noise
 - Within greenbelt/no special circumstance
 - Affect Site of Spec. Scientific Interest
 - Inadequate drainage
 - Inappropriate in special landscape area
 - Loss of privacy
 - Traffic congestion
 - Pollution of watercourse
 - Inappropriate design
 - Visual Intrusion
- This golf course has taken many years to mature into the peaceful oasis it is today. It is in a heavily built up area bounded by, possibly the busiest road in the area, a railway line, a school and housing. It is a valuable amenity especially for older residents to enjoy as it is considered an easier course than many in the area.
- I object to the years of disruption it will take to transform this busy, friendly recreational facility from the wonderful 18-hole course to the 6/12 hole course planned. - In my opinion there is no need to rebuild the clubhouse on green land and replace the existing one with housing which The Council/developers will say was built on "brown" land. Please protect this natural amenity.
- Despite the revisions to the initial application that was refused earlier this year, this development is still not appropriate for a residential area, particularly to be sited so close to homes on West Street.
- The development will result in increased traffic to West Street and through the streets that run between West Street and Station Road, combined with longer opening hours (and much increased noise and lighting) compared to the current club house.
- The existing club house would be more appropriate for development, as it is set further away from homes. However, a development of the scale currently proposed would still be excessive, and more suited to an out of town development.
- Please also note that the developer's leaflet about the proposals, inviting residents to contribute to an online consultation, was only sent to residents in late September. The online consultation closed in July.
- Impact on property from golf balls.
 - Increase traffic
 - Increased noise pollution

- Adverse impact on birds, mammals and amphibians.
- Impact on pollution
- I live on the opposite side of A1058 Coast Road and do not wish to see flood lights from my back window and also do not wish to hear any music from the 3 function rooms. Noise pollution from the Coast Road and railway line is already enough to contend with.
- I also don't understand why the current buildings cannot be regenerated. The car park for 184 cars also seems excessive.
- I have been a member of Wallsend Golf club for over 30 years and I am of the opinion that this proposed development will result in membership reducing drastically. From a golfing perspective I have yet to meet a member who is in favour of the changes to be made to the golf course. To reduce this course to 12 holes would be a travesty, putting the future of the Golf Club in considerable doubt.
- The current driving range runs parallel with the first hole and, dependent on the wind, balls are constantly being hit over the fencing, trees and the public right of way onto the course. How anyone can propose to place a double decker range alongside the main coast to Newcastle road is astounding.
- The application states that 100 full time jobs will be created by this development. I know that Close House which has two golf courses, clubhouse, driving range and accommodation has less than this, some of which are part time.
- The existing site of the clubhouse, range and grass area will be available for development. Surely North Tyneside does not need more housing following building on Station Road and the proposed housing on Rake Lane and Backworth.
- The site is on a lease with " Keep Inns " who after 14 years have totally run down the site with promise made in the past not been fulfilled as current facilities to the effect now only being the driving range is open with no Bar etc facilities. Wallsend golf club had at one stage over 700 members currently just over 300 along with bar and range facilities. The council could easily do this on their own.
- North Tyneside Council have gone to great lengths in the local plan to develop policies to protect our open green spaces.
- I think the proposed application for development is unnecessary and would destroy what is a superb layout for a golf course and replace it with what will be a novelty facility. The recognised uptake in golf as a safe sport during covid19 has resulted in a nationwide surge in golf course memberships which was acknowledged in a recent contact update provided by the manager of the course. This has resulted in many more visitors attending the course again as confirmed by the course manager. The current management have allowed the condition of the course and facilities to deteriorate over many years resulting in membership reduction from 800 at one time to only 200+ now. A better and more cost effective plan would be to greatly improve what is already there and capture the many visitors as future members. Unless it is the intention of the current management to take the bulk of the excess finance available as profits and not to provide the community benefits they claim.
- The destruction of trees which were planted a few years ago under the great north forest scheme would also be a backward step in the current environmental problems. They have taken many years to mature and they provide an outstanding wildlife provision in a quiet area.
- The placement of the driving range parallel to the Coast Road would seem to be

a dangerous design. Having been to many driving ranges in the area I can assure you there will be golf balls landing on this major road which would be catastrophic.

- The result of sending out 700 e-mails to 325 club members and 275 pay & play contacts actually show: 76% are either against the development or not bothered enough to reply, 93.85% are not interested in teaching or bothered enough to reply, 89.57% are not interested about retail or bothered enough to reply, 87.85% are not interested about food/beverage or bothered enough to reply. It is clear this application has failed to gain support from club members or the public in general. A recent article in the local press (chronicle live) failed to receive any comments from the public at all.

- There is also now the uncertainty of how a venue like this would operate and be able to offer, post covid 19.

- I live on the very corner of West Street and have concerns over the traffic flow and congestion on an already very busy and heavily trafficked street. I am worried about the heavy traffic this may cause. I am worried about accessing and exiting my property and have concerns for the safety of my family. I think this will further add strain to the residents of West Street.

- The club house will be very close to the residential properties and I would also worry about noise pollution affecting households and the driving range height being an eyesore to the surrounding area.

- The trees that will be taken down provide shelter from noise and this is also an cause for concern.

- Although I am not against regeneration and the good this can do, unfortunately I think it is to the detriment of the local residents.

- West Street is already busy. Increased traffic to the area will make this road even more dangerous. In addition visitors to the golf course in particular drive very dangerously.

- I find it inconceivable that North Tyneside Council Planning Committee could consider allowing a planning application of this kind to be built parallel to probably the most congested and fastest roads in the Borough the A1058 Coast Road. Cars, Buses, Lorries, Motorbikes travel along the A1058 Coast Road at speeds of up to 70MPH and the thought of a Golfing Driving range be allowed to be built next to it were Golf Balls could potentially hit any one of these vehicles causing that vehicle to swerve into other vehicles or suddenly braking causing other vehicles to crash into the back of them because 1 or more vehicles had been struck by a golf ball giving that or those drivers such a fright this would undoubtedly cause a major accident which could result in the loss of life. Golf Balls from the present Driving range are regularly found on the first fairway of the present golf course hit there from ground level. The first fairway is roughly the same distance away from the present driving range as the A1058 Coast Road will be from the new Proposed driving Range you also have to take into account that from the new proposed driving range you will be 1 story up in the air hitting golf balls again making it easier to hit the road. This is a total life taking disaster waiting to happen that could and will have very serious repercussions for both public safety / loss of life.

- The developers are also claiming this will create more jobs as there will be a big influx of customers using the facility, this greater influx of people will have a dramatic effect on the vehicles using West Street both in noise and pollution for residents.

- There is also the safety aspect for any children living in the area both from the

increase in traffic but the effect the extra traffic will have on their health from the added pollution.

- Noise tests in the latest application have once again been conducted with the current trees in situ. There will be a removal and thinning again to the treeline on West Street, once more residents are expected to accept these questionable noise level results.

- It seems strange that the applicant states that the mature tree belt bordering the northern boundary of the golf course will remain to prevent noise breakout.

So how will the removal of the treeline on West Street not result in a noise breakout? Could it be that the treeline running along the Coast Road is to be left untouched as a buffer from the traffic noise for the users of the driving range venue?

- It is claimed the residents living closest to the venue on West Street will not hear any noise from the driving bays but according to Wardell Armstrong here are no specific details given of the driving range bays background music system. How loud will the music levels need to be turned up for patrons in the driving bays to hear over the Coast Road traffic? And what would the effect of the raised levels be then for those residents on nearby West Street?

- Do we really need a new flashy 19th hole or what we have just tidied up? We have managed well enough during this time without one. Keep the club on the current site keep the course as it is. The move is not for the good of the club or the community.

- Broken roof tiles, cracked windows, cars dented, a member of the public seriously injured, our front gardens constantly filling up with stray golf balls.

- The course was intentionally and sensibly redesigned several years ago to help eradicate the problem of straying golf balls, so why is this new proposed design returning to a one similar to the original layout? As well as this, plans are to thin and remove some of the treeline, plus remove the current fence and replace it with a 4ft steel railing.

- The applicant invited WYG to Centurion Park to conduct a survey in search of Otters, and Water Vole, and they found a discoloured water course, evidence of pollution, access restricted due to densely overgrown vegetation, water very silty and stagnant, contaminated with a white film and unpleasant odour, slow flow and a dried up pond.

A further look around the neglected clubhouse area and car park would have discovered five-a-side pitches and disused tennis courts being used as a dumping ground, a huge area of bare concrete, the result of the demolition of the large sports hall and changing rooms due to fire damage, a neglected treeline, overgrown state nettles and brambles encroaching the rear of the nearby housing estate. The northern tree-line neglected wooden fence, and wire fence frequently cut to gain access to the golf course. An eyesore of a neglected wire fence and treeline down the length of West Street.

- It is now proposed to encroach on to the course itself and remove a large number of protected trees and grassland, altering the course forever. Club Membership is now less than half of that the owner acquired. Walkerville residents have been upset in the past, and currently, residents on West Street, it now looks like residents north of the Coast Road too.

- Living on the opposite side of the Coast Road to this proposed development I consider it inappropriate in as much as it will cause significant light pollution to the area. We are already subjected to this from the North with the Blue Flames and NUFC facilities.

- I would anticipate residents on West Street will be forced to endure noise disturbance when patrons are leaving functions late at night, and in the early hours, whether by car or on foot.
- West Street is an already busy street, regularly used by commuters and residents gaining access to Wallsend shopping centre. Increased traffic will result in greater risk to children being escorted to the nearby primary school.
- What consideration has been given to safety with regard to mis shot golf balls interfering with vehicular and pedestrian traffic on the adjacent roads. Will the proposed fencing be adequate and are the operators prepared to deal fairly with any compensation claims in the event of damage or injury?
- Given the declining membership of the existing golf club why should there be any uptake in membership of the new and obviously much more expensive facility?

The existing premises and facilities are not being adequately maintained so what guarantee is there that the same situation of neglect will arise with the proposed new development.

- This is an improper use of land as it is open space and a wildlife corridor.
- It is not in the best interests of the Council to facilitate the convenience of existing property holders to move their premises where they find most convenient.
- This is not in the best interests of the people of Wallsend as it focuses on golf and entertainment excluding what was a multi disciplinary sports facility. I notice that Sport England do not endorse this development.
- Loss of amenity - The proposed development includes a 35 metre high fence for 220 metres adjacent to the coast Rd. This will cause a loss of light and shading to the properties North of the coast Rd This impact will be exacerbated in winter when the sun is low in the Sky. Sun path diagram should be submitted to demonstrate the potential impact on sunlight/daylight.
- The 35m high fence will be observable from a great distance and will be an eyesore for people to witness when they approach North Tyneside from Newcastle.
- Threat to wildlife – The 35m high fence is not mentioned in the bird strike assessment. This will lead to the loss of wild birds and bats and will cover an area of 7700sqm. This is in a wildlife corridor. Resting birds will be in trees or ground near this and you get backfires from the vehicles on the Coast Road.
- Risk to human life – impact on stray balls on the Coast Road, visual distraction, impact of the net on air ambulance and police helicopters. Reference to Royal Society for the Prevention of Accident factsheet.
- Fire threat to flora, fauna and human habitation – threat from the facility to the tree lines Coast Road and properties near this.
- Not in accordance with the Local Plan
- Noise
- Previous reasons for refusal are still valid
- Waiving of the Community Infrastructure Levy and breach of state aid rules
- I have been a member of this golf club for many years back in the days when our council ran it, we were promised that it would remain a normal 18 hole course by whoever took the lease on. It will not be a standard 18 hole course. They want to change it into three sections of 6 holes so that players can play 6,12 or 18, I feel this would be very problematic for normal golfers who just want a normal 18 hole standard type golf course. All this course requires is proper drainage and a new club house and therefore no need to fell perfectly good trees.

- This is an out of town development, the sheer size of the development in such close proximity to local housing is beyond comprehension.

- At the last planning meeting, Councillor Trish Brady raised concerns that the junction from the Coast Road to Devonshire Gardens would not be able to cope with the increased traffic. With this I completely agree:

a. The bend at the top of West Street is narrow and blind with parked cars.
b. West Street has been getting steadily busier over the last few years and I have seen traffic speeds being studied a number of times. At the current time it is already difficult to drive on/off the drive at busier times. (We already have a bus stop making it difficult). At peak times the queue northbound to the Coast Road junction tails back, further than the proposed access road. The increased traffic and stopping to give way etc, will make this even more difficult, possibly even dangerous.

c. Three out of seven properties around the proposed new entrance/exit, are blue badge holders, two of which are children, often needing specialist transport.

d. The carpark which will be floodlit, has (probably more than needed) spaces, on top of this is the club house, walkways, and of course the driving range - How changing the direction of the Driving Range is an improvement, I don't understand. Surely bright lights shining down a road with a 70mph speed limit can only be dangerous.

e. Noise pollution is also an issue, clearing the boundary on West Street of the fence and trees, (which at the minute acts as a sound buffer, as the wind carries noise in our direction), would increase the noise from the site. Any sound survey that has been carried out is not fit for purpose. At the last meeting we were told that the windows would be kept shut in the functions rooms when there were functions on. How do they propose to stop people opening the windows?

f. It would take away privacy for the residents, as it would be such a sprawling open development.

- We are also concerned when course maintenance would be carried out. The grass is currently getting cut at 6.30am on weekends, which is totally unacceptable and outside of allowed times.

g. It is claimed there will be 100 jobs made available. How many of these are to staff the function rooms/bars etc? This development seems much more about how much money can be made, rather than for the love of golf and creation of jobs, at a very detrimental cost to local residents.

- The applicant claims to be offering 100 "full time" jobs for this development. Based on 35hrs at NMW for 18-20 year olds (minimum age for age related sales), this would be a weekly wage bill of £22,575. This also does not make any allowances for supervisors/managers wages. Just how much footfall would be needed to cover the wages bill alone? How much noise/disturbance would this create for residents, and how much extra traffic would the roads be expected to carry?

- Impact on parking in the area.

- Impact of construction phase.

- Nothing in this revised planning application, changes point 3 of the "Refusal of Planning Permission" dated 20/03/2020. - "The proposed development would have a detrimental impact on the amenity of residents in terms of noise and disturbance, contrary to Policy DM519 of the North Tyneside local plan 2017.

- All of the proposed development already exists on the site, there is a floodlight driving range, a clubhouse, a pro-shop, a meeting space, a car park the only item missing is an effective maintenance plan. The site needs investment not redevelopment.

- Centurion Park is not a golf club as some literature states, it is the home of Wallsend Golf Club where anyone can enjoy a safe round of golf over 18 individual holes.

The golf course has already lost space due to the inclusion of Kirkley Park is this another method of reducing land occupied for golf?

- Why is Wallsend Golf Club losing playing area land

Wallsend Golf Club was allocated the land to be named Wallsend Golf Course by N.T.C. in the 1970's when Wallsend as a town was thriving, the area was known as Wallsend Sports Centre. Keeping Inns were awarded a lease in 2008 to manage the course but due to various reasons their plans have failed.

The planning application suggests that the area is to be converted into an entertainment centre with the state of art driving range in the middle of an existing respected golf course. Playing off an artificial surface is not the same as playing off a natural surface as most golfers would agree. Wallsend Golf Club deserve the right to retain what was agreed many years ago.

- How will 100 jobs be created when currently staffing levels are much less than this under normal conditions.

Could the current owner explain why the image on his website centurionpark.com clearly shows a roadway cutting through the north east part of the course running from West Street to the area of the current clubhouse?

And will this be part of his next application if/when this one is refused

Is the cost of demolition and removal of the current clubhouse, driving range, tennis court and 5 a side pitches included in the £13 million or added to that?

- Concern about the proposed access road to be cut into the facility at the top of West Street. To place an access road near the junction of Cheshire Gardens/West Street is nothing short of bonkers, peak times on West Street are very hectic, drivers queuing in traffic can and do escape by using Cheshire gardens as a rat run!

- As a motorist who lives north of Wallsend, to reach west Wallsend, I have to drive either down Station Road or West Street. As Station Road has delaying factors, such as School Lollipop person, Pedestrian Crossing, and traffic lights, West Street having none and is one of the quickest streets to keep traffic moving, this is my journey choice for now. If an opening into this venture is to go ahead on West street then surely the road will have to be adjusted to accommodate this?

- Rheydt Avenue is an excellent access road for both the Boys Club and the Golf Club, no residents are disturbed by parking cars, the approaching road is quiet and there are various approach routes, disturbance is not concentrated in one spot and best of all, no traffic hold ups.

- The plans submitted are not in the interests of Wallsend golf club or its members or the local residents.

- West Street is busy and there is a school nearby.

- There is no reason to touch the 18 holes we have now.

- Air pollution .

- Insurance for golf balls affecting Coast Road.

- The list of companies who provided the impartial advice, info, and testing, etc. in the applicants previously failed Big Shots application have since become shareholders of HG & L Newcastle in respect of this current one. Whilst this may or may not be common practice and I am not suggesting anything unethical but I would hope the Council Officers would look more closely at the information being provided by the applicant as it appears they all have a horse in the race now.
 - Noted the Planning Officer was recently supplied by J W Planning Ltd with a couple of interesting publications promoting the health benefits of golf by the younger members of society. I hope though, the officer was lucky enough to view this Sunday's BBC Countryfile programme which provided a full hour devoted to their Plant Britain Campaign providing excellent evidence of the importance of our trees for the health benefits of us all. The item on the use of a disused "Pitch and Putt" now being used by Hackney Council for a tree nursery seemed very apt, I thought!
 - The best compromise for all parties involved would be for the venue if it should go ahead be built on the area of the current Golf Club. That way Golf Club members keep their current 18 hole course as it is, less concerns for local residents regarding noise and safety etc. The owner still gets his development, he can still teach the young, and still sell his food and drink. The wasteland would be put to use again with little to no damage to the biodiversity and less risk for the Councils asset looking to the future. Would a visitor really decide not to attend the venue because it was built on Rheydt Avenue rather than West Street? No I don't think so either.
 - Having checked on some of the people/companies that have carried out inspections or surveys it would appear that the people or companies are not independent, they are mostly shareholders of the company planning this building. This application surely cannot be given any consideration. This information will be shared to residents.
 - I object to this planning application as I believe the location of this development will be detrimental to both the local residents and the Golf Course. The local residents will have extra traffic issues to contend with along with added pollution and also the noise/light effect the proposal will have on residents living opposite and close by. I hope the council is ready and prepared for numerous complaints being lodged by residents for noise/light disturbance.
 - The proposal will require trees to be removed from the site yet we are now being told that more trees need planting to try and save the environment, so why allow these well-established trees to be removed.
 - The golf course that has been in existence on this site since 1973 and over the years has had a large membership (over 800 members per year) the course is well established and to allow this proposal would decimate the character of the course and how golf should be played on an 18 hole course.
 - When you go for a game of golf there is no stipulation you have to play the full 18 holes you have the choice to play as many or few holes as you like so why destroy a good Golf Course.
- The whole idea of the current management being allowed to redevelop this site for the sole purpose of them lining their pockets with the profits made from beer/food sales and the "white elephant" driving range to the detriment of the Golf Course and Wallsend Golf Club should not be allowed.
- Despite the management offering the chance to play golf you only get that opportunity to play golf for 8-9 months of the year on the course as in the winter as soon as there is a bit of rain the decision is taken to close the course until the

spring so you do not get value for money.

- The current Golf facility has been closed for over 6 months now with no intentions of re-opening as it will be the same management running the new development will the same policy apply to keep that shut to the detriment of golfers.

- Why is it the management say they want to attract golfers to the region/facility but show no sign of doing that with the present facility, by closing the Bar/Lounge with no intentions of re-opening and the course at the first signs of rain what magic trick is going to happen that the new development will be allowed to open and the course will be open

- The present owners of Wallsend Golf Course have had the lease on the course for 12+ years now and over the years they have had the lease they have invested absolutely nothing into the Golf Course or the Clubhouse. The only thing that has been done is any profit, green fees paid and Golf Club subscriptions paid, all this money each year has been salted away from the course and clubhouse to line their own pockets. The current Golf Course is an eye sore, when they prune any trees the branches are left lying around on the ground for eternity never to be picked up, grass cuttings are dumped in the trees and never tidied up, when work is carried out on the greens the rubbish removed from the greens again is dumped in the trees never to be tidied up, all waste bins have been removed from the course so there is rubbish, bottles, cans strewn all over the course.

- The Clubhouse has been shut now since the start of the first lockdown and again the owners are showing no sign of opening the clubhouse up again due to the fact that they have paid off the staff as they do not want to pay the wages and have the clubhouse open again.

- The drainage on the course needs investing in and improving so that the course can remain open in the winter months but as no investment has been done, we are at a stage were you get 1 day of heavy rain and the course is shut for weeks/months, last winter the course was shut for over 3 months and this winter we have already lost over a week and it is anybody's guess as to when it will re-open. As a result of the course closing so much Wallsend Golf Club members do not get 12 months playing membership they only get 8-9 months if they are lucky and the owners refuse to offer any refund as they claim no responsibility even though they have not invested in the drainage.

- The present owners who are part of the new development team have shown over the years that profit/money is the only thing that matters to them and improving either the Golf course or Clubhouse facilities are definitely not on their radar or interest.

- There will be no up-keep and both will go to wreck and ruin very quickly resulting in yet another eye saw for Wallsend.

- Concern about Golf Balls from the new development gong onto the A1058 Coast road possibly causing a major accident or death, nor will they be bothered about light or noise for the local residents.

- This application will have an adverse effect on noise, air pollution because of lot more cars, and disturbance to local residents, especially to myself and direct six neighbours because of where they are planning to put the entrance. As the current situation stands it is difficult to get in and out of driveways because of amount of traffic now, especially at peak periods, it will be even worse.

- Impact on wildlife.

- The Golf course has been closed due to heavy rain ,the driving range has had very little use and i can confirm now the comments made by the golfer in the previous post about the dangers to traffic on the Coast Road are justified.
 - I have just cycled along the footpath next to the current driving range and have counted 16 stray golf balls on the footpath and 1st green. I would expect these are normally picked up by golfers when the course is in use. In the plans for the new development that area would be the Coast Road and though there may be claims the fence will be a little higher it is to be a double storey driving range.
 - Has the owner even thought about how he would be successful in getting insurance cover for this if he has struggled to get it for a little bit of flood water?
 - The developers claim that the location of this new development is key as it will attract more visitors to the driving range/golf course. When the present owners took over the Golf Course from the council there were over 700 golf club members with plenty of daily visitors to both the golf course and driving range as well so the facilities could not be that hard to find.
 - The developers claim that one of the main reasons that they need to relocate the facilities is that the present facilities are in the worst place as they are subject to flooding and they find it difficult to get insurance. If the present facilities are in an area that has terrible drainage and subject to flooding how is it that the golf course is rarely open in the winter due to what are described by the green keeper as saturated course conditions but the driving range that is in the worst possible place has never been shut, is that because there is nothing wrong with the present location of the facilities?
 - The real reason why the owners want to re-locate the facilities is so that the land where the present facilities/car park, the driving range the field next to the driving range and the field where the old cricket pitch/bowling greens are can be sold off for housing thus cutting the rental cost for the Golf Course. If this are floods so badly as the owners claim I pity whoever purchases one of the new houses that will be built on this land.
 - Are we the General public and the local residents being told the truth here or are the real reasons being hidden from the public and the impact of this development on the local residents does not matter and their health and well-being count for nothing compared to selling off more green belt land for housing?
 - This development should be rejected as there is nothing wrong with the land or present location of the facilities and this is where the new development should be built.
- This would have no impact on the local residents, there would be no danger to life from golf balls landing on the A1058 Coast Road, potentially causing death or serious injury to the public.
- There would be no issues with light and or noise as the site is away from housing and all that would be happening is the old facilities would be getting replaced with new facilities. There would also be no impact on the wildlife that live or are attracted to the current golf course or the wildlife corridor.
- How would anyone be able to secure planning permission for building housing in the future when it is so near to the machinery shed which would be creating such excessive noise?
 - As part of this application the Highways Officer has once again stated that because of an increase in traffic accessing the new venue a Highways Safety Scheme is required at the Coast Road southern on-slip road. Responsibility for Traffic Regulation Orders, road markings, street furniture and signage near the site entrance are all required by the applicant so I would assume he is aware of

what he is going to have to pay for. However, as in the first application details have still not been provided for public viewing. Why not?

- This needs to be made available for public comment, the main entrance road is badly placed and the planned main footpath is in an extremely dangerous location for pedestrians crossing West Street so near to the already controversial bend in the road and patrons, residents and road users need to know how this would affect them.

- There also needs to be some clarification on any plans by NTC for house building on the site of the present clubhouse. This statement has come from somewhere has it any truth in it or not?

- It must be noted that the Senior Landscape Architect and the Biodiversity Officer have both suggested that the new venue could be built on the current site of which by the way I am in full agreement. Why not just put a statement on this application stating yes there are future plans to build housing on the site or no there are not.

- The flood damage to the current clubhouse in question happened in 2012 but other than placate his insurer for 2 years it appears that very little if any additional flood defence has been conducted since. The e-mail from Gallagher Insurance actually states it is entirely possible not definite that flood cover will become unavailable. The Flood Warning Information site which he references actually states that it is very unlikely to be reliable for identifying individual properties at risk. Why would a business that claims to have had such a bad experience of flood insurance risk build a machinery shed in the most flooded area on the course?

- Concern over light and noise

- I did not receive a leaflet from the developers

- Lack of investment in current course

- Doubt over number of jobs that the development is claimed to provide

- Danger to life if granted with golf balls landing on the A1058 Coast Road,

- Congestion and pollution as a result of extra traffic on West Street and the junction with the A1058.

- The developer should pay for all new road markings and signs that may be required.

- It is abundantly clear that moving the current facilities to the new proposed site is so that the land can be sold off for re-development.

- What happened to the insurance money from the old Wallsend Sports Centre that burnt down.

- Too close to housing, especially with the operating hours.

- There appears to be a number of conditions of compliance to this application.

The applicant appears to be confident in its design so should agree to another two. If a golf ball should be hit and go over the top of the northern fence and cause any damage or accident on the Coast Road the driving range due to safety issues should be permanently closed down with immediate effect. If a golf ball should be hit and go over the top of the eastern fence and cause any damage or accident on West Street the golf course due to safety issues should be permanently closed down with immediate effect.

- Having read through the Biodiversity Net Gain Assessment supposedly claiming to be High Level, I was surprised and could not help but notice the words assume, assumed, assumption, and likely, are used a lot.

- A number in "Support" have been submitted within 2 days. I assume these are not from residents in the area concerned, and look as if they are objecting to the

objections. Even during lock down the traffic on the street is still very busy, recently resulting in a crash near the proposed entrance. I still cannot understand why the driving range should be moved from its current site, unless the rumours are true that North Tyneside Council is planning on building homes there. I would hope our local councillors would support the voters.

- This is response to "Response to local representations" dated 11/02/21. Query whether the 29 supports are genuine. The last 3 submissions of support have a total of 74 words between them, (and submitted within a couple of days of each other). A lot of the supporters are from outside of the area. If I truly supported something, I would be going into far more detail. I hope this is not a smaller scale version of the issues surrounding the closure of the 5 small Newcastle Bridges.

- This should not be visibly prominent, in a residential area, far too big and not in keeping with the area. Jump360 and InflateSpace, to name two, are on industrial estates, and not visibly prominent, with access off main roads. The last application was refused with one of the reasons relating to noise and disturbance.

- Roads - I can't imagine when the studies on the roads have been carried out. We are in a lockdown which would throw up incorrect information. I have lived in the area for over 15 years, and I expect the traffic has probably increased up to 10-fold in this time. For there to be a true result of a study like this, speeds should not be visible to the drivers. Speeds of 50+ is common on West Street. There was an accident on 20/01/21 just after 11pm, which wrote off at least 3 cars. It is far too much of a fast road to have the entrance at its proposed site, close to bus-stops, junctions, and the blind bend at the top of West Street.

- As the last committee meeting, it was thought to be doubtful that the West Bound Coast Road slip road, could cope with the expected increased traffic, although one of the greatest concerns should be the bend from Devonshire Gardens to West Street. This can't cope now with the road being so narrow, having no parking bays, and parked cars. This is also a bus route, which does cause problems for people accessing/leaving their drives, with traffic the level it is at now, any extra traffic would just exacerbate this.

- Loss of trees - there are CGI images with the application dated 18/11/20. Two, in particular were showing North and South, West Street boundary in Winter. These are not accurate. We are now heading for Spring, and there is a clear view from West Street up through the Golf Course, if anything had been built there, it would be a complete eye-sore, losing any of these trees cannot be considered.

- In a Chronicle article dated 23/11/20 the developer said it had addressed residents' fears by repositioning the development. This is not an improvement for the residents of West Street. Instead of the "gable" end of the building, the whole "entrance/exit/open windows and associated noise would now be on show. No number of trees would block this out.

- The support comments do not have much to say. Do North Tyneside check where these are from and if they are true.

- Additional traffic entering and leaving from all directions.

- Comment regarding access to the website for residents who do not have the internet.

- The lateness of the opening and closing time would cause noise nuisance to nearby residents. Would we have to monitor every incident?

- The facility should be built away from residential homes and main roads.

10.0 One response from a resident of West Street which states that it is a response by West Street Residents to HG+L Ltd/JW Planning Ltd:

10.1 Some West Street residents do not use a computer, are not confident enough to use the Council portal, or are reluctant to give their names publicly and this is the reason a spokesperson was appointed in the previous application and also in this one. Some residents do post their own comments. The objection count would have been many more if each resident had posted individually. There were times these were shared comments and were made collectively in a single post.

10.2 We refer to comment in "full response to local representation from JW Planning Ltd" below:

-Reference by agent to the number of support and objectors. We have yet to find a resident supporting this development. Residents are very suspicious of the source, make up, contents and datelines of the comments showing support. The major reason for not making representations or comments of any sort is well known and is unfortunately apathy. Some residents believe even when they object strongly to something, that there is no point- and a waste of time in objecting to a Council Planning application- where there is money and a bit of open land involved, feel it's pointless it will just get passed anyway. That was proved wrong in the first application with good reason when it was rightfully declined and hopefully, we trust the same decision will be made in this one.

- Traffic: Residents strongly disagree with the Council's Highways Officer that the access layout and position are acceptable and the very reason a highway safety scheme on the Coast Road southern on-slip road is required due to the venue being built is proof of this. This decision has clearly been made as a tabletop exercise and is not accurate. We would invite the Officer to attend during a busy time of the day park near the disabled parking bays opposite the road and footpath entrances then visualise what is proposed and we are confident his decision would then change.

- Danger from golf balls to Coast Road traffic, the applicant may well have been persuaded by sourced data on PGA tour golfers, but we may be talking drink-fuelled groups here. There seem to be two reactions we have found of residents and of those further afield to the driving range being positioned so close to the Coast Road is that of horror or hysterics. We feel the officer is being very brave in his decision to signing this one off. It has been noted that no reference to our objections on the further danger of golf balls being hit onto West Street due to the alterations to the course has been made. There would be no issues of traffic if the facility was built on the current clubhouse site.

- Threat to greenspace and impact on wildlife: the Council has created the plans to protect these green spaces for the good of us all. The applicant's high values of concern he claims he has for our communities and this manipulation of the policies for the use of a few are setting a precedence for other developers to come along in the future with further applications to build on our other protected green spaces. There would be no issues with green space/wildlife if the facility was built on the current clubhouse site.

- Loss of trees: the watercourse was found to have been neglected in a previous assessment, this latest one finds none of the woodlands to be in good condition and a majority as being in a poor condition. We would ask therefore that he not be encouraged by being allowed to plant more that he clearly would have difficulty managing. The latest revised BNG Assessment shows the net-gain in

biodiversity that the proposed development would create is now negligible and not worthy of consideration anyway. It should also be noted that almost 20% of that net gain in biodiversity will take 10-25 years to be established. There would be no issues of tree loss if the facility was built on the current clubhouse site.

- Noise: We believe and have from the onset of the first application consider the issue of the tests that have been conducted with the treeline in place but which is planned to be removed make any sound tests flawed and meaningless. We are concerned the EHO continues not to take this into consideration.

- Current site neglected: The applicant blames the reason for its neglect is the decline in the trend in golf club membership with less of the population including younger people playing golf. Why is there so much oneness being put on scholarships, local schools, groups, and neighbouring Wallsend boys club for a sport that is in decline?

Location: The new venue is incomparable in size to the current clubhouse and because of this could shorten the length of Rheydt Avenue for users arrival considerably, it is not isolated, the area is surrounded on all sides by housing, it would no longer need to be dark, unsafe and off-putting if proper care is taken in its design. H G & L view Parklands Golf Club an established well regarded and similar to Centurion Park after the proposed development and have used it as a basis for survey in the Transport Assessment. Parklands is isolated in the centre of Gosforth Park the nearest housing to the venue is almost 4 times the distance that the nearest housing is away from Centurion Park. The Transport Assessment confirms its users would travel by car from outlying areas to reach the venue. The operator of Parklands must look on enviously at the current location of Centurion Park surrounded by so much housing, transport links, and easy accessibility.

- School: The issue of traffic passing Western Primary School has already been addressed in the earlier application. The Traffic Assessment states additional vehicle trips as a result of the proposed development during the A.M. commuter peak hour are low. This would be the school opening time. In mid-afternoon vehicle trips are substantially less this would be the school closing time. The busiest times for a development of this type would be evenings, weekends, and school holidays, when the school is closed.

Prominence: We do not agree the venue needs to be visually prominent at all, and the example he gives, Parklands, is located in the centre of Gosforth Park confirming this.

We wonder how much is just over-enthusiasm on behalf of the applicants wishes to gain non-golf playing customers. The recent closure of the nearby Dorset Arms and the managers comment "pubs are now a dying trade" proving there is no appetite from local residents for an establishment offering food and drink.

This nationwide decline and deterioration of the current venue are the reasons he has failed to attract non golf playing customers to Centurion Park.

Flooding: The flood risk assessment and drainage strategy have confirmed that the site is free from flooding potential and along with the new drainage system that he assures us would be protecting the machine shed, must surely apply the same to the venue if it was to be built on the current clubhouse site.

The applicant of course would then be in a much better position having no risk of flooding to the new venue and be able to acquire insurance cover at a much more favourable rate.

Supporters of the scheme: As stated above residents are suspicious of the source of the comments of support. However the HG+L/ JW Planning summary of the comments showing support for the scheme could all clearly be accommodated if the venue was built on the current clubhouse site, none are a requirement or show betterment for it being located on West Street. Interestingly none even mention the importance of location at all, so we can take from this that they have no concerns and would be more than happy to get there by accessing the site via Rheydt Avenue.

10.3 We believe a venue like this does have some value but the reasons for it being built on the proposed site are not valid and that this application just like the first should be declined.

10.4 Since the refusal of the first application, it appears many of the parties acquired by the applicant to provide unbiased reports, assessments, etc, have become shareholders in this venture so naturally now have a vested interest in its success. And as one of these parties has stated in one of their reports:

"The quality and reliability of outputs is dependent upon the quality of the inputs"

This is of great concern for all residents of North Tyneside if this is an acceptable and normal procedure in a local planning application.

11.0 One representation

11.1 Whilst fully supporting the project, believe that this can only be positive for North Tyneside and particularly Wallsend for employment, attractive for sports and no negative effect on the local environment. In saying this I have 2 questions to ask.

1) Will there be adequate drainage at the west of the golf course, at present this area tends to be flooded at times, the consequent water running off at times into our rear garden, will suitable drainage be put in to eliminate the risk.

2) Will the maintenance of trees be carried on, as we have had problems in the past, which at present rectified, however problems reoccurring, as outlined in previous correspondence.

12.0 External Consultees

12.1 Sport England

12.2 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website.

12.3 If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

12.4 If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:
<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

12.5 If the proposal involves the provision of additional **housing** (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

12.6 In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

13.0 Northumbrian Water

13.1 In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

13.2 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

13.3 Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

13.4 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 Assessment" and the appended Drainage Strategy which shows foul connecting to manhole 1903 and surface water connecting to the local watercourse at a restricted rate.

13.5 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:

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Assessment" referenced "MD1304/rep/001 Rev E". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 1903 and ensure that surface water discharges to the existing watercourse.

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

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.

For information only:

We can inform you that a public sewer crosses the site at the south eastern edge and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site.

14.0 Tyne and Wear Archaeology Officer

14.1 I have previously provided advice on a similar application, and this remains valid.

14.2 The site has some archaeological potential, in particular for the remains of West Farm (HER 7945), dating to at least the 19th century, on the northern side of the site, and for remains of earlier periods in the former field of medieval ridge and furrow (HER 17793) to the south of the farm, shown on aerial photos of 1945 (Google Earth). Archaeological trial trenches should be excavated in order to establish the presence or otherwise of archaeological remains (NPPF para 189). If archaeological remains are present then further work may be required to determine their significance.

14.3 The archaeological work can be carried out under condition, as the site is currently partially covered by trees and still in use. The following conditions should be used to secure the archaeological works;

Archaeological Excavation and Recording Condition

15.0 Cycling UK

15.1 We welcome and endorse the comments made by Graeme Clarke, North Tyneside's PROW Officer regarding the need for additional provision for cyclists and walkers.

16.0 The Coal Authority

16.1 The Coal Authority Response: Material Consideration

The Coal Authority previously commented on this planning application in a letter to the LPA dated 09 October 2020. We advised that a updated Phase II Geo-Environmental Site Assessment (ERGO, March 2019) was required to take account revised proposals.

The Coal Authority welcomes the submission of an Addendum Letter Report – Mine Shaft Assessment (ERGO, 12 November 2020) to accompany their planning application.

This report clarifies that mine entry 428567-002 will be located within the proposed driving range but not conjectured to be within close proximity to built development (as shown on the appended Approximate Mine Shaft Location Plan).

As suspect features are now located within the proposed driving range, the report prudently recommends that intrusive site investigations should be undertaken to determine the location and condition of the mine entry. The findings from these investigations should be used to inform an appropriate scheme of treatment and remediation for the mine entry.

In this particular case, as the mine entry is not located within close proximity to built development, the Coal Authority considers it appropriate to recommend conditions for these further works.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.

Please note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property.

Accordingly, the Coal Authority recommends the imposition of the following conditions:

1. *No development shall commence until;*
 - a) *a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, specifically to attempt to locate and determine the condition of mine entry 428567-002, and;*

b) *any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.*

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. *Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of the conditions to secure the above**. *This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.*

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance: *The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.*

17.0 Northumbria Police Designing Out Crime Officer

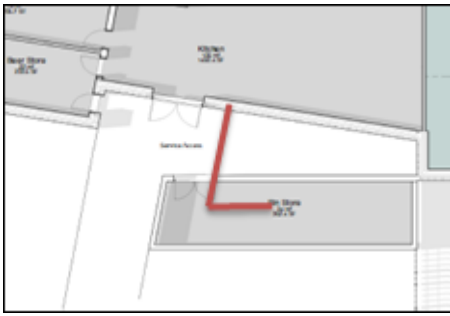
Observations

The Design & Access Statement nor the drawings address the issue of protecting the investment with security.

- Golf Facilities of all sizes throughout the Northumbria Police area are regularly targeted by criminals.
- We often consider that membership facilities are marginally less at risk because they have less footfall and a more motivated and engaged membership providing guardianship.
- The whole raison d'etre for this state of the art development will be to attract greater numbers of people, which increases the possibility of attracting criminal attention and a 399 sqm Golf Pro Shop could well be a very attractive target.

Recommendations

On the Western elevation at the southern end there is provision for a Bin Store that creates a service access area that is largely concealed by the bin store preventing casual surveillance from the car park side of the building. This is somewhat unsatisfactory and I wonder whether consideration might be given to enclosing the space with a lockable gate and fence to the same height as the bin store along the line shown in red in the below extract from drawing 1210-PO2.



- The Western Elevation features a large curtain wall section to the Golf Pro Shop. This elevation should be protected with anti-ram bollards or other suitably placed street furniture to prevent a vehicle being driven into the shop through the glass curtain walling from the car parking area.
- Consideration should be given to installing security fencing, in addition to the ball screening fencing, to deter offenders from attacking the building from the driving range side.
- As a flagship development serious consideration should be given to the building achieving the Secured By Design Commercial Award.

18.0 Newcastle International Airport

I have reviewed the landscape plans, planting mix and bird hazard assessment and management plan, and am satisfied that for this location all of our possible concerns have been addressed. I would be happy to comment on the wording of a condition to ensure the management plan is carried out and adhered to.

19.0 Environment Agency

No comments.

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Application No: 20/01563/FUL Author: Julia Dawson
Date valid: 8 October 2020 ☎: 0191 643 6314
Target: 7 January 2021 Ward: Whitley Bay
decision date:

Application type: full planning application

Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG,

Proposal: Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations

Applicant: Carlton Club Ltd, Mark And Lorraine Holmes 21 Farringdon Road
Cullercoats NE30 3ER

Agent: Mario Minchella Architects, Mr Mario Minchella Unit 4 Witney Way Hi-Tech Village Boldon Business Park Boldon NE35 9PE

RECOMMENDATION:

The Committee is recommended to

- a) indicate that it is minded to grant the application; and**
- b) authorise the Head of Environment, Housing and Leisure to determine the application subject to securing a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 to obtain a contribution towards the Coastal Mitigation Scheme.**

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider are:

- Principle of the proposed development;
- Impact on neighbouring amenity;
- Impact of the proposal upon character and appearance;
- Impact on biodiversity;and
- Impact on the highway network.

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

2.0 Description of the Site

2.1 The site to which the application relates is the former Carlton Bingo Hall (originally Empress Ballroom) which is part of the Spanish City Complex and adjoins the Spanish City Dome. It is a Grade II listed building.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for construction of a two-storey extension with second floor external terrace and internal alterations to facilitate the change of use of the application site to the following:

- Function room/wedding suite.
- Cabaret/performance venue.
- Late night venue/cocktail bar.
- Restaurant.
- 2no. pop up bars.
- 2no. commercial units to new upper floors.

4.0 Relevant Planning History

12/00143/OUT - Full planning permission for refurbishment of The Spanish City Dome building and outline planning permission with all matters reserved except landscaping for new build mixed use development, site landscape works, public open space and promenade. Mixed uses include family activity centre, gymnasium, shops, restaurant, food outlets, managed workspaces, offices, hotel, carehome, townhouses/apartments and associated parking. (Amended Description 17.05.12). (Amended Noise Report 21.05.12) – Approved 21.08.2013

14/00686/LBC - Reinstatement of previously removed 1910 historic features, including new higher Tower Tops, Loggias to first floors of both wings, shopfronts, doors and windows to all elevations. Removal of 1924 ground floor extension to West elevation of West wing and removal of modern steel fire escape Staircase from first floor of Rotunda over the West wing- Approved 16.07.2014

14/00687/FUL - Change of use and refurbishment of the Dome. Promenade Level - four retail units (Use Class A1) and cafe/diner (Use Class A1 and/or A3). Ground Floor - Community and/or leisure (Use Class D1 and/or D2), 895 sq m. First Floor - Community and/or leisure (Use Class D1 and/or D2), 785 sq m and cafe/diner (Use Class A1 and/or A3), 155 sqm. Associated external alterations to restore and refurbish existing building – Approved 25.06.2014

15/00284/ADV - Proposed illuminated fascia signage for Carlton Clubs and Bingo – Approved 29.04.2015

15/00285/LBC - Proposed illuminated fascia signage for Carlton Clubs and Bingo – Approved 27.04.2015

16/00149/FUL - Change of use and refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers,

loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows – Approved 20.04.2016

16/00150/LBC - Listed building consent for the refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance, an accessible lift and feature stair. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows and the removal of the central floor area within the dome at first floor level – Approved 12.05.2016

17/00993/FUL - Making good of the South West and South East elevation of Carlton Bingo Empress Ballroom, following the demolition of the adjacent building as part of a separate planning permission. The works materially affect the external appearance of the Grade II Listed property, to make external walls water tight and a new render to improve the appearance of the façade – Approved 10.11.2017

17/00994/LBC - Making good of the South West and South East elevation of Carlton Bingo Empress Ballroom, following the demolition of the adjacent building as part of a separate planning permission. The works materially affect the external appearance of the Grade II Listed property, to make external walls water tight and a new render improve the appearance of the façade – Approved 10.11.2017

17/01164/FUL - Demolition and reinstatement of the existing piers, frieze and fascia above the three shop fronts to the East Wing on the north elevation at Spanish City, Whitley Bay due to structural health and safety concerns – Approved 21.09.2017

17/01165/LBC - Demolition and reinstatement of the existing piers, frieze and fascia above the three shop fronts to the East Wing on the North Elevation at Spanish City, Whitley Bay due to structural health and safety concerns – Approved 22.09.2017

18/00346/ADV - Externally illuminated individual letters above the south entrance stating "SPANISH CITY" - bronze effect. Large format graphic displays 2no to be located on west gable and 1no to east gable at ground floor level - contemporary "seaside railway" poster designs constructed in aluminium biscuit tin construction panels – Approved 04.05.2018

20/01564/LBC - Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations – Pending Decision

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

6.0 The main issues for Members to consider are:

- Principle of the proposed development;
- Impact on neighbouring amenity;
- Impact of the proposal upon the character and appearance of the surrounding area; and
- Impact on biodiversity; and
- Impact on the highway network.

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

7.0 Material Planning Considerations

7.1 Principle of the Proposed Development

7.1 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.

7.2 Paragraph 85 of the NPPF states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Paragraph 85 (b) states that local authorities should define the extent of town centres and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre.

7.3 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.

7.4 Policy S2.1 Economic Growth Strategy states that proposals that make an overall contribution towards sustainable economic growth, prosperity and

employment in North Tyneside will be encouraged. This includes supporting economic growth as follows:

a. Town Centres and Tourism

i. Attract a range of innovative and creative businesses to retail, leisure and office development within the Borough's town centres.

7.5 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

7.6 Policy S3.2 'Hierarchy of Centres' sets out that the town centre of Whitley Bay provides one of the key locations that can be resilient to future economic changes and which should be considered as part of a sequential test for proposed main town centre uses.

7.7 Policy AS8.15 'The Coastal Sub Area' states that within the Coastal Priority Investment and Regeneration Area, as shown on the Policies Map:

a. Create a vibrant Whitley Bay town centre - with an appropriate mix of shopping and other town centre uses to support local businesses

b. Proposals which extend the range and provision of tourist and visitor attractions and accommodation, including leisure, entertainment and cultural facilities and activities including water based recreation will be promoted.

c. Integrate growth and development at the Coast with the protection and enhancement of the built and natural environment, in particular the area's heritage assets at Tynemouth, Cullercoats, Whitley Bay and St. Mary's Island and the protected nature conservation sites of the Northumbria Coast SPA/Ramsar site, Northumberland Shore SSSI and Tynemouth to Seaton Sluice SSSI.

d. Proposals will promote the revitalisation of the adjoining Spanish City and seafront area, providing a high-quality public realm.

7.8 Policy AS8.17 Visitor Attractions and Activities at the Coast states that the restoration and re-use of The Spanish City dome and surrounding development site, including provision of improved parking, shops, a hotel and housing, has

been noted as one of a number of particular opportunities at the coast that could enhance its role for tourism over the life of the plan.

7.9 Policy AS8.18 'The Spanish City' states that the Council will support, through the retention and improvement of the grade II listed Spanish City site, the development of a mix of uses that make a positive contribution to the tourism offer for the coast and support Whitley Bay as a fun and family friendly destination.

7.10 The proposed development will result in a mix of leisure and food and drink uses at a currently vacant building. Such uses are in complete accordance with the aforementioned policies, which make clear that the application site is part of the designated town centre and the Spanish City site where such uses are appropriate and will be supported where they make a positive contribution to the tourism offer for the coast.

7.11 Members need to determine whether the principle of the proposed development is acceptable. It is Officer advice that, in planning policy terms, the principle of the proposal is in accordance with the provisions of the NPPF and Local Plan policies, with particular reference to policies S1.4, S2.1, S3.1, S3.2, AS8.15, AS8.17 and AS8.18. It will bring the application site back into use and ensure its continued active use going forward, helping to secure economic growth and contributing towards the ongoing regeneration of Spanish City and the vitality and vibrancy of the town centre and the local economy.

8.0 Impact on Surrounding Amenity

8.1 NPPF paragraph 180 states that planning 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 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.

8.2 Policy S1.4 of the Local Plan 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.

8.3 DM5.19 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. 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.

8.4 The Council's Environmental Health Officer has noted that the nearest residential properties to the application site are located in Elmwood Grove

located approximately 13 metres west of the site. She has advised that there is potential for noise impacts on the residents of these dwellings as a result of the variety of activities proposed at the site (i.e. dance and entertainment functions, live and amplified music) and any external plant and equipment. There is also potential for odour disturbance from the restaurant. However, she has not objected to the proposed scheme and has recommended several conditions to address the above matters.

8.5 Such conditions will include the submission of noise schemes to address both noise from plant and equipment and activity at the site, restrictions on the hours during which the external terrace can be used, controls over odour extraction and suppression, the closure of all external windows and doors during performance of music and amplified speech within the rooms they serve, and control over the hours of deliveries and collections.

8.6 Members must determine whether the proposed development is acceptable in terms of its impact on the residential impact on surrounding occupiers. The proposal is considered to accord with the NPPF and Local Plan policies, subject to the suggested conditions.

9.0 Impact on Character and Appearance/Listed Building

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

9.1 In respect of designated heritage assets the NPPF states that in determining planning when determining the impact on the significance of a heritage asset great weight should be given to the assets conservation. The more important the asset the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

9.2 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.

9.3 Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

9.4 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 the characteristics of the site, its wider context and the surrounding area.

9.5 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.

9.6 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.

9.7 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.

9.8 Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

9.9 The applicant has submitted a Heritage and Conservation Statement in support of the applications for planning permission and listed building consent. This sets out the history of the site (and wider Spanish City complex), designations and an examination and assessment of the architectural significance of the areas within the host building – auditorium, gallery, crush space, stage, ground and first floor extensions, and the impact of the proposed development on the significance of the listed building.

9.10 The application site is Grade II Listed. The Statement describes The Spanish City as an Edwardian seaside pleasure complex located on the seafront at Whitley Bay, Tyne and Wear. It was built in 1910 and originally consisted of four separate design elements: rotunda, north range, theatre and pleasure grounds. Its layout has an angled linear nature where the rotunda acts as the rotation point. Off the rotunda to the north is the North Range and the former Theatre to the south. The Theatre sits at a large single storey with surrounding two storey extensions and back of house accommodation. Although the complex is constructed predominantly in reinforced concrete the Theatre has load-bearing brickwork walls and a welsh slate roof covering over. The complex fronts onto a plaza and promenade to the north. The Spanish City site has undergone considerable change over the years with the Spanish City Dome being restored and reopened as part of a major regeneration project.

9.11 Specifically, the application site (former Carlton Bingo) was originally constructed in 1910 as a theatre. It was then converted to the Empress Ballroom room in 1920, and later converted into a bingo hall in 1961. Ground and first floor extensions were added to the building over the years, and various internal alterations were undertaken.

9.12 The Statement sets out how the concept of the development proposals has been guided to maximise flexibility of uses across the site, extent of net commercial lettable space and to minimise the impact of any modern intervention on the historic building fabric. The proposed physical alterations to the building will include the following:

- A new two storey extension to the south east corner of the site to provide an entrance and circulation atrium and external terrace.
- A curved ramp to provide inclusive ground floor access and a lift and stairs to provide vertical access to all levels within the building.
- Installation of an acoustic partition to the vaulted space on the upper floor.
- Refurbishment and reinstatement of the glass dome and west window (to the proposed function room/wedding suite)
- Two new levels of commercial floor space to be created within the fly tower at high level above the stage and accessed via the new south east entrance atrium.
- Installation of series of tall rectangular windows in southern elevation.
- New entrance and canopy to the ground floor cocktail bar.
- Reinstatement of the former windows along the western elevation
- New feature signage to the south west corner of the building.
- Installation of solar panels.

9.13 The Council's Design Officer has provided Heritage comments on the proposed works and these are generally supportive. It is considered that the new two storey extension will sit comfortably alongside the existing building. Conservation principles set out that there should be minimum intervention to historic buildings and it is noted that the proposed development includes the installation of new windows to the southern elevation. However, it is considered that these are acceptable due to the fact that they will enhance the elevation and improve the internal space. Detailed design of the windows will be conditioned. The remainder of the proposed external works are also considered to be acceptable, subject to conditions to ensure their final detailed design.

9.14 Several changes proposed including the reconfiguration of spaces. Whilst it is acknowledged that the proposed new use may benefit from these changes, they must not be to the detriment of the building's significance. The overriding feature of significance is its intact appearance as a theatre and all aspects relating to this use, for example, its arched ceiling, gallery and proscenium arch must continue to be visible and able to be appreciated throughout the building, as existing. The main concern relates to the amount of glazing to be provided within the acoustic dividing wall as it is important that a view of the historic ceiling is maintained. The acoustic wall will separate a function room and an upper cabaret seating area, and as such, the applicant has advised that it is important that this wall prevents noise breakout. A condition is suggested to ensure that the final technical design of the wall is fully controlled to ensure that it does not result in harm to the significance of the listed building.

9.15 Overall, it is considered that the proposed works are appropriate for the application site and will not result in any significant harm to the character and appearance of host building, wider Spanish City complex or the significance of the listed building itself.

9.16 Members need to determine whether the proposal is acceptable in terms of its impact on the character and appearance and significance of the listed building and the surrounding area. Officer advice is that the proposal will not cause any harm or detriment to the character and appearance of the surrounding area or the significance of the listed building, subject to the suggested conditions, in accordance with the NPPF and Local Plan policies.

10.0 Car Parking and Access

10.1 NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals. It states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

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

10.3 Local Plan Policy DM7.4 New Development and Transport states that the Council and its partners 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 residents health and well-being.

10.4 LDD12 Transport and Highways SPD set out the parking standards for new development.

10.5 The Council's Highways Network Manager has recommended conditional approval of the application noting that access to the site remains unchanged and that it benefits from shared off-street parking. Furthermore, the site has good links to public transport and is within a reasonable walking distance of the main town centre area.

10.6 Members must determine whether the proposal is acceptable on highways grounds. It is officer advice that it is.

11.0 Biodiversity and Landscaping

11.1 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.

11.2 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.

11.3 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.

11.4 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.

11.5 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 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. For schemes such as that proposed, the financial contribution will be calculated based on the forecast footfall/visitor numbers as a direct result of the proposed development.

11.6 The applicant has submitted a 'Report to Inform a Habitat Regulations Assessment and Designated Sites Assessment'. The Council's Biodiversity Officer and Natural England and have each commented on the proposal. Both consider that without appropriate mitigation, the proposed scheme would have an adverse effect on the Northumbria Coast SPA and Ramsar site and would impact the interest features for which the Northumberland Shore SSSI has been notified.

11.7 Both consultees have recommended that an appropriate financial contribution is secured towards the delivery of a Coastal Mitigation Service in accordance with the Council's Coastal Mitigation SPD, to mitigate these recreational impacts. The financial contribution is currently being calculated and the final agreed sum will be reported to Planning Committee. The applicant will be required to enter into a legal agreement with the Council to provide the required 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.

11.8 Further conditions are recommended to ensure that there are no residual impacts on the SSSI during the construction phase, and to ensure that the development itself does not result in any harm to wildlife, i.e. the provision of bat roost and house martin boxes, control of external lighting and a bat method statement.

11.9 The Council's Landscape Architect has noted that there are reasonably new landscape assets contained within island areas in and around the car-parking areas and along the adjacent Park Avenue carriageway and cycleway. The planting is predominantly ornamental and consists of tree planting and associated shrub areas. She has advised that these areas will require protection during the construction phase and a condition is suggested to ensure that this is the case.

11.10 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.

12.0 Other Matters

12.1 Contamination & Land Stability

12.2 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.

12.3 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.

12.4 The applicant has submitted a Phase 1 Geo-Environmental Desk Study (Land Contamination Risk Assessment). The Council's Contaminated Land Officer has reviewed the submitted report and raises no objection. No conditions are required.

12.5 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.

12.6 Proposed Link to Spanish City Dome

12.1 The operators of the adjoining Spanish City Dome (Kymel Trading) have advised that they have no objections to the redevelopment of the former Carlton Club site and would welcome further investment in the area. However, they have raised strong objections to the proposed reinstatement of the link between the application site and Spanish City as they consider that these works themselves would require planning and listed building consent and the location of such a link would disrupt in the internal operation of Spanish City. This concern is noted and applicant is aware of it. However, they have advised that they would like to retain the details of the proposed link on the plans which have been submitted as part of the application in case there is a possibility of this being undertaken in the future.

12.2 In planning terms there would be no objection to the re-instatement of the original opening between the two sites. However, as the applicant has been advised by the Case Officer, they would need the agreement of Kymel Trading before undertaking these works as they involve land that is outside of their control. As such, this is a civil matter between the two parties which cannot be addressed by way of this planning application.

12.3 A condition will be attached to the planning permission to ensure that, in the event of agreement being reached between the two parties to carry out this element of the works, full details are first submitted to and approved by the Local Planning Authority.

13.0 Local Financial Considerations

13.1 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).

13.2 There would be benefits in terms of the provision of a significant number of new jobs via the employment of staff at the site and during the conversion phase.

14.0 Conclusion

14.1 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.

14.2 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.

14.3 The application site occupies part of the Spanish City Site within the designated town centre and in close proximity to existing local services. The proposal would bring an existing vacant building back into active leisure use in a sustainable location in accordance with the NPPF and Local Plan, and in officer opinion is acceptable in principle.

14.4 Members also need to consider whether the proposal will impact on the residential amenity of nearby residents, whether the development would have an acceptable impact on the character of the area and the significance of the listed building, ecology and the highway network. It is officer advice that the proposed development is acceptable in these terms.

14.5 The application is therefore recommended for approval subject to a legal agreement to secure a contribution towards the Coastal Mitigation Scheme and the conditions as set out.

RECOMMENDATION: Minded to grant legal agreement req.

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 07.10.2020
 - Location Plan, A100, Rev.B, 21.01.21
 - Proposed Zoning Plans, A105, Rev.C, 07.12.20
 - Proposed Ground Floor Plan, A106, Rev.F, 18.01.21
 - Proposed Upper Floor Plan, A107, Rev.E, 18.01.21
 - Proposed New Upper Floors, A108, Rev.D, 18.01.21
 - Proposed Elevations, A109, Rev.C, 07.12.20

- Proposed Siteplan, A110, Rev.D, 07.12.20
 - Existing + Proposed 3D View 01, Rev.C, 07.12.20
 - Existing + Proposed Long Section, A112, Rev.B, 07.12.20
 - Existing + Proposed Short Section, A113, Rev.C, 07.12.20
 - Existing + Proposed Roof Plan, A114, Rev.B, 07.12.20
 - Proposed Heritage Plans, A115, 28.09.20
 - Design and Access Statement, 3310/ACW, September 2020
 - Heritage and Conservation Statement, v.3, 06.10.2020
 - Heritage Record and Schedule of Works - 3310 Empress
 - Main Heritage Interventions - 3310 Empress
 - Phase 1 Geo-Environmental Desk Study (Land Contamination Risk Assessment) and Coal Mining Risk Assessment, 29.01.21
 - Report to Inform an Habitat Regulations Assessment, 21015, V1, February 2021
- 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. Prior to commencement of the approved development above damp course level the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- Samples of the materials and finishes for the extension.

Thereafter, the development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the materials are acceptable, and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

4. Prior to commencement of any demolition/development in respect of the following matters, the information set out below shall be submitted to and agreed in writing by the Local Planning Authority:

- Details of fixings and materials for the acoustic wall between function room and cabaret gallery.
- Detailed design of glass lantern in the proposed wedding room.
- Details of wall to be removed in the proposed raised ceremony zone - this should include a drawing to show the area of wall that is proposed to be removed.
- Details of the paint colour and finish type for the theatre space.
- Design of new openings on the south elevation which must include concealed frames.
- Details of the reinstatement of windows on the west elevations.
- Details of automatic roof light above the fire exit stair serving the commercial units (which must be as flush fitting and recessed as possible)
- Details of signage including size, materials illumination and fixings.

Thereafter, the development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the materials are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the

advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

5. Prior to the commencement of use of any part of the approved development, full details of the boundary treatment to be installed to the refuse and external plant area must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boundary treatment shall be installed in complete accordance with the approved details.

Reason: To ensure that the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

6. Prior to their installation, full details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the solar panels shall be installed in complete accordance with the approved details.

Reason: To ensure that the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

7. No demolition/development shall take place until a programme of archaeological building recording has been completed in relation to the historic back-stage theatre equipment. This programme shall include a written and photographic record using high resolution JPEG format photographs in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

8. Prior to any re-instatement of the opening between the application site and the adjoining Spanish City Dome, full details of the how the opening will be undertaken (sections, elevations, floor plans, materials, finishes etc.) 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 the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

9. 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.

17. Prior to the operation of the approved use, facilities for the storage of refuse at the site shall be installed within the refuse area shown on approved plan 'Proposed Siteplan, A110, Rev.D, 07.12.20'. The facilities, which shall not be used/accessed for the purposes of depositing/emptying glass items (i.e. bottles/broken glass) between the hours of 22:00 to 08:00 on any day, shall thereafter be permanently retained and used for this purpose.

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

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

Reason: In the interests of highway safety in accordance with DM7.4 of the North Tyneside Local Plan (2017).

19. No part of the development shall be occupied until a scheme for covered, secure cycle parking has been submitted to and agreed in writing by the Local planning Authority. Thereafter this scheme shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety in accordance with DM7.4 of the North Tyneside Local Plan (2017).

20. No part of the development shall be occupied until a scheme to stop up the redundant adopted highway within the site has been approved by in writing the Local Planning Authority.

Reason: In the interests of highway safety in accordance with DM7.4 of the North Tyneside Local Plan (2017).

21. No part of the development shall be occupied until a Framework Travel Plan has been 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: In the interests of sustainable transport in accordance with DM7.4 of the North Tyneside Local Plan (2017) and the NPPF.

22. Prior to commencement of the use of any part of the approved development a noise scheme must first be submitted to and approved in writing by the Local Planning Authority. The scheme must provide details of all mitigation measures necessary to prevent noise breakout from within the application site, with particular regard to amplified or live music from the approved development. The scheme must also include details of an air conditioning system which will be installed to ensure that it is not necessary to open windows during live, amplified music activities and all other leisure activities which may give rise to impact noise. The development must be carried out in accordance with the approved details prior to first operation of the approved use and in accordance with the approved details thereafter.

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.

23. All external windows and doors to any room where live music or amplified music/speech is occurring must be kept closed except for access and egress and in case of emergency.

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

24. Noise No Tannoys Externally Audible NOI002 *

25. Prior to the installation of any new external plant/equipment/extraction/air ventilation system at the application site in connection with the approved uses a noise scheme must first 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 at the boundary of the nearest residential property for the representative time when the plant is operational and identify appropriate mitigation measures, where necessary, to ensure the combined rating level of external plant and equipment does not exceed the current background noise levels by more than 5 decibels. 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.

26. Within one month following installation of any plant and equipment, acoustic testing must be undertaken to verify compliance with condition 25 of this approval. The results of the acoustic testing shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the plant and equipment shall be maintained and operated in accordance with the approved details at all future times.

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.

27. All plant and machinery shall be enclosed with sound insulation materials in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The scheme shall 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. Thereafter, the plant and machinery shall not be used until the approved soundproofing has been implemented.

Reason: To protect the occupants of nearby residential properties from noise and disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

28. The external terrace area and any other external seating area shall not be used as an external amenity space/seating/drinking/eating area in connection with any part of the approved development outside of the hours of 22:00 to 08:00 Monday to Sunday.

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

29. There shall be no deliveries to or collections from the loading bays outside of the hours of 07:00 to 23:00 hours Monday to Saturday.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

30. Notwithstanding the approved plans, each separate/individual approved use within the application site shall not commence until details of the height, position, design and materials of any new extraction flue to be provided in connection with specific associated use have been submitted to and approved in writing by the Local Planning Authority. Any flue for kitchen extraction must expel at least 1m above the eaves height of the building or at roof ridge and it shall be acoustically mounted to the wall to prevent vibration noise. Thereafter, the flue must be installed in accordance with the approved details prior to first operation of the associated use.

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 to be installed in connection each separate/individual approved use within the application site full details 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, prior to the first operation of the particular use which the air ventilation system is associated with, 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 to be installed in connection with any part of the approved use full details must be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed in accordance with the approved details prior to the use commencing 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. No cooking shall take place within any part of the application site in connection with any of the approved uses until details of an odour suppression system for the arrestment of cooking odours from the respective use have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before the associated kitchen is brought into use, permanently retained and maintained in accordance with the details provided by the manufacturer.

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. The premises shall not be open for business outside of 07:00 hours - 02:00 hours Monday to Sunday.

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. Restrict Hours No Construction Sun BH HOU00 *
4

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)

Do Not Obstruct Highway Build Materials (I13)

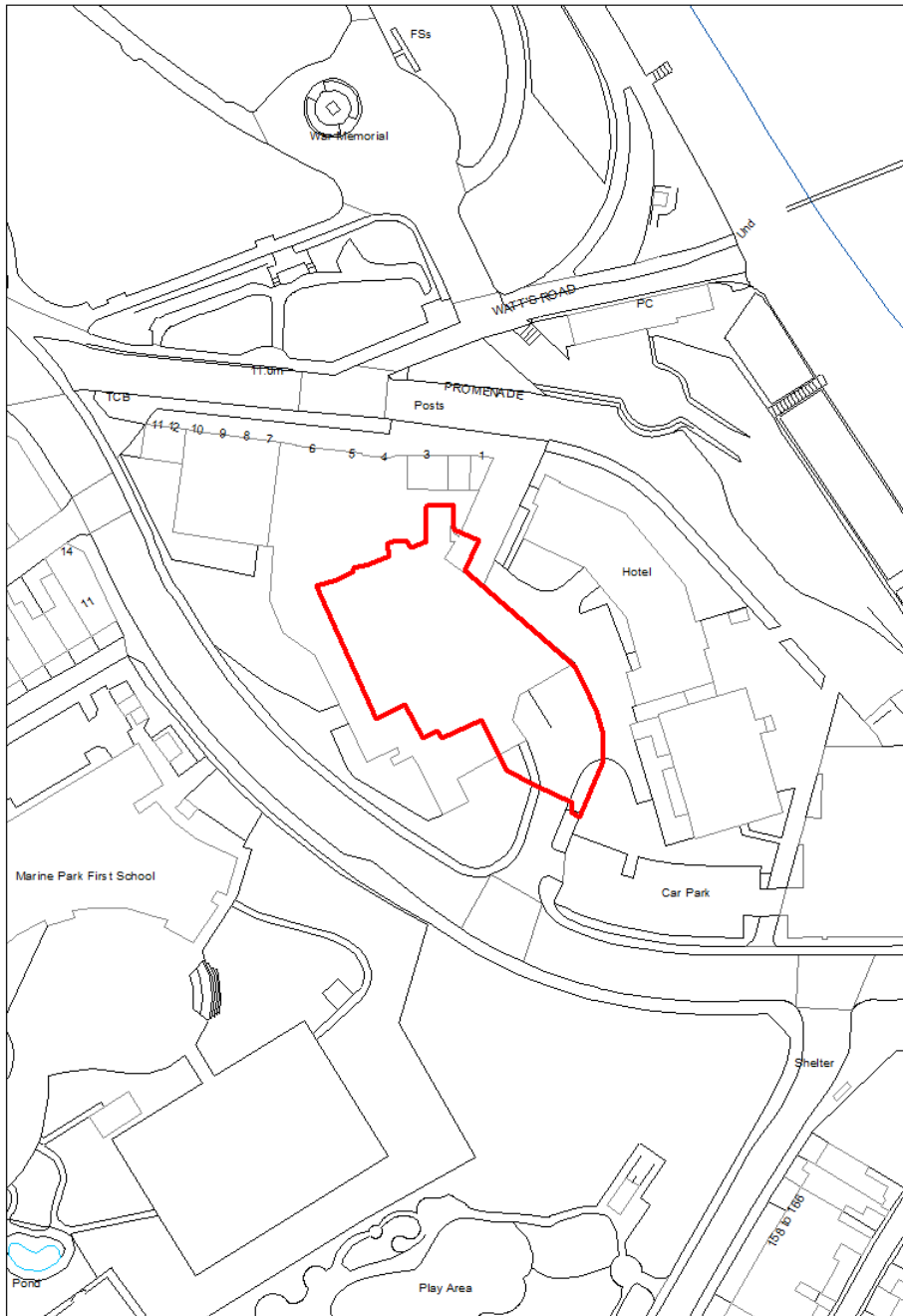
Contact ERH Construct Highway Access (I05)

No Doors Gates to Project Over Highways (I10)

Highway Inspection before dvlpt (I46)

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

Consent to Display Advertisement Reqd (I04)



Application reference: 20/01563/FUL

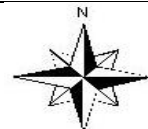
Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG

Proposal: Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations

Not to scale

Date: 04.03.2021

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Number 0100016801



Consultations/representations

1.0 Representations

1.1 Two representations and Ward Councillor comments have been received; these are summarised below:

1.2 Kymel Trading (operators of Spanish City):

No objections to the redevelopment of the former Carlton Club site and welcome further investment in the area. Strongly object to the proposed reinstatement of the link between the application site and Spanish City. These works themselves would require planning and listed building consent and the location of such link suggested would disrupt in the internal operation of Spanish City.

1.3 North Tyneside Hackney Carriage Association (Bob Sneddon):

Fully support proposal.

1.4 Councillor O'Shea (Whitley Bay):

I very much support the above planning applications. In the event that Planning Officers are minded not to grant planning permission for these applications I would request that I be able to make representations to the Planning Committee.

1.5 Internal Consultees

1.6 Biodiversity Officer

1.7 Additional information has been submitted to support the above application, by way of the following information: Report to Inform a Habitat Regulations Assessment and Designated Sites Assessment (OS Ecology Feb 2021)

1.8 It is considered that without appropriate mitigation, the above scheme would have an adverse effect on the Northumbria Coast SPA and Ramsar site and would impact the interest features for which the Northumberland Shore SSSI has been notified.

1.9 As stated previously, the re-development of the venue is likely to increase recreational disturbance at the coast due to the nature of the hospitality on offer, such as restaurant, performance venue, evening venue and functions for weddings. It is, therefore, recommended that an appropriate financial contribution is secured towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD, to mitigate these recreational impacts.

1.10 In addition to the above, the scheme also has the potential to impact the adjacent Northumberland Shore SSSI, which is located less than 100m away from the site, through construction impacts. This could include impacts from activities such as lighting, noise and pollution. As a result, all construction works should be undertaken in accordance with a Construction Environmental Management Plan (CEMP) to ensure there are no residual impacts on the SSSI during the construction phase.

1.11 Bat Survey

1.12 A bat risk assessment was undertaken on September 2020 and assessed the site as low suitability. A dusk survey was therefore undertaken on the same date and this recorded no bat activity on site which correlated with previous surveys that have been undertaken on the site and wider Spanish City surveys. The Report recommends that works are undertaken in accordance with a Bat Method Statement to minimise any residual impact to bats. In addition, it recommends that external lighting and high intensity security lighting is avoided.

1.13 The following conditions should be attached to the application:

- A Construction Environmental Management Plan (CEMP) will be submitted to the LPA for approval prior to works commencing on site. Thereafter, all construction works will be undertaken in accordance with the approved Plan.
- 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
- A Bat Method Statement will be submitted to the LPA for approval prior to works commencing on site and all building works will be undertaken in accordance with the approved Plan.
- 1 no. Schwegler wall-mounted bat roosting box or similar roosting feature will be incorporated into the building in a suitable location. Details of the roost box specification and location will 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
- Prior to the installation of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. External lighting will be low level and low lumen, avoiding use of high intensity security lighting and will be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/18 "Bats & Artificial Lighting in the UK"
- 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.
- 3 no. House Martin nest boxes will be installed onto the building in suitable locations. Details of nest box specification and locations will 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

1.14 Landscape Architect

1.15 The application property is the Carlton Club (Bingo Club) and is situated centrally and adjacent to the associated parking areas, within the Spanish City Dome complex, with retail, residential and hospitality facilities also bordering the area. There are reasonably new landscape assets contained within island areas in and around the car-parking areas and along the adjacent Park Avenue carriageway and cycleway. The planting is predominantly ornamental and consist of tree planting and associated shrub areas. The site entertains a very prominent and important location adjacent to the Spanish City Dome, Plaza and Promenade developments and enjoys commanding open views of the Whitley bay Park to the

southwest and the resort coastline to the southeast. Within the wider context the site is also a valuable component of the Whitley Bay Seaside Regeneration Plan, with respect to the local town and seafront/promenade areas.

1.16 The proposed redevelopment works will be principally internal however, storage areas and plant access will be required within the adjacent car-parking areas and their associated access points. As a consequence, the planting islands bordering and located within the car-parking areas of the wider development will require protection during the construction phase.

1.17 The design and access statement states that due to the nature of the site there is very little landscaping involved as part of the proposals with the only minor amendment being where the client hopes to introduce a new pick-up/drop off zone for patrons of the venue. This is on an area of existing hardstanding and does not involve the loss of any landscaping.

1.18 Should approval for the scheme be considered, the following condition is to be applied:

- Prior to commencement of works starting on site, all existing landscaped areas within or adjacent to the site that are to be retained are to be protected by fencing unless otherwise agreed in writing by the Local Planning Authority. Details and location of protective fencing is to be submitted for approval and in line with contractor site set up requirements. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is NOT to be repositioned without the approval of the Local Authority.

1.19 Heritage

1.20 A contemporary glazed extension is proposed to the east of the building. The extension is suitably set back from the building line and is subservient to the main building. There are some concerns about the visibility of the lift shaft although it is set back to the rear of the roof. Any further visuals that the applicant could provide to show this element of work would be welcomed. The extension is made up of two glazed blocks. The internal uses and arrangement of space will be completely visible through the glass wall and therefore needs to be sensitively designed along with lighting. An external terrace is proposed on the extension and the elevations show that this is enclosed with a glass balustrade. Overall, the extension will sit comfortably alongside the listed building.

1.21 The application proposals include the insertion of five tall vertical windows on the upper floors of the south elevation. In line with conservation principles there should be minimum intervention to historic buildings. On this basis new openings would not usually be supported; however, I appreciate that the windows could potentially enhance the elevation and would improve the internal space. The design of the openings has been discussed with the applicant to ensure that they would be clearly read as modern additions. The windows will be designed with concealed internal window frames and the detailed design of this should be conditioned.

1.22 On the west elevation it is proposed to reinstate the former windows which have been blocked in. This is supported and appropriate materials are proposed for the windows; dark brown powder coated aluminium frames reflecting those used in the adjacent Spanish City Dome complex. It is proposed to reinstate a feature glass dome which is supported. A new roof light is also proposed; this should be a conservation rooflight with a flush recessed fitting/flashing. Solar panels are proposed but no further detail has been provided. The principle of solar panels is acceptable although the detailed design should be conditioned.

1.23 A detailed schedule of works has been submitted which is a thorough account of the proposed works, however the area numbers need to be shown on a layout plan and included in the document. This will make it easier to identify where the works are being proposed.

1.24 Internally there are several changes proposed including the reconfiguration of spaces. Whilst it is acknowledged that the proposed new use may benefit from these changes, they must not be to the detriment of the building's significance. Much of the space in the auditorium has been subject to several changes in the past. Therefore, some further amendment is acceptable, subject to full consideration given to the impacts of any harm being weighed against the resultant benefits. The overriding feature of significance is its intact appearance as a theatre. All aspects relating to this use, for example, its arched ceiling, gallery and proscenium arch must continue to be visible and able to be appreciated throughout the building, as existing. An acoustic dividing wall is proposed on the upper floor to form a function room and upper cabaret seating area. A glazed window is proposed in the wall so that a view of the historic ceiling is maintained. The principle of this was supported during pre-application discussions, however during the detailed design the size of the glazing has been substantially reduced. The applicant has sited that this is due to the acoustic requirements to reduce noise transfer between the two venues. There are concerns about the reduced size of the glazing and the impact that it has on the significance of the building. It is requested that the acoustic measures are reviewed to see if any further glazing can be incorporated. If not, then the acoustic performance calculations should be submitted to justify the proposed approach.

1.25 The stage area is proposed to be extended to make the performance area more functional. This is designed to have limited impact on historic fabric. The new window openings on the south elevation in combination with the addition of two new floors will result in the loss of historic stage equipment which will cause harm to the significance of the building. As mitigation, this equipment should be recorded with a written and photographic record. In other areas, partitions are designed to have no abutments with historic feature plasterwork or columns and works are reversible. Other works outside of the main theatre will have little or no harm to the historic fabric.

1.26 Items to condition:

- Samples of the materials and finishes for the extension.
- Details of fixings and materials for the acoustic wall between function room and cabaret gallery.

- Building recording of historic stage equipment. This should include a written and photographic record using high resolution JPEG format photographs.
- Detailed design of boundary treatments for refuse area and external plant area.
- Detailed design of glass lantern in the proposed wedding room.
- Details of wall to be removed in the proposed raised ceremony zone – this should include a drawing to show the area of wall that is proposed to be removed.
- Details of the paint colour and finish type for the theatre space.
- Design of new openings on the south elevation which must include concealed frames.
- Details of the reinstatement of windows on the west elevations.
- Details of roof light which should be conservation style with a flush recessed fitting/flashing.
- Details of signage including size, materials illumination and fixings.
- Details of solar panels.

1.27 Tyne and Wear Archaeology Officer

1.28 No demolition/development shall take place until a programme of archaeological building recording has been completed in relation to the historic back-stage theatre equipment, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

1.29 Environmental Health (Pollution)

1.30 The Spanish City Dome is located on the Whitley Bay seafront, with the nearest residential properties located in Elmwood Grove located approximately 13 metres west of the site. No noise assessment has been provided to determine potential noise impacts arising from the redevelopment of the site to include for function rooms/wedding suite, cabaret and performance venue, 2 pop up bars and 2 no. commercial units to new upper floors including a new two storey extension with external terrace. It will be necessary to control noise arising from any external plant and equipment.

1.31 The layout plans show that a restaurant will be included within the designs and therefore odour control from any kitchen ventilation system will be required. As the proposed uses can include for a variety of activities including dance and entertainment functions, such uses may give rise to amplified and live music as well as impact noises affecting the nearby residents in Elmwood Grove. An adequate ventilation system needs to be provided to prevent the need for windows to be open during music or dance to prevent noise breakout, especially given that the applicant is requesting operating hours until 02:00 hours. This ventilation system and noise mitigation scheme will need to be conditioned as part of any planning consent.

1.32 I also have concerns with regard to odour arising from the restaurant, it will be necessary for odour abatement to be installed within the kitchen extraction system to address cooking odours. The extent of odour abatement necessary for

the kitchen extraction system will be dependent on the type of cooking taking place, the number of meals prepared and the location of the flue extraction. The kitchen extraction system should be based upon the former DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems". A layout plan for the kitchen area will be required with the location and plant and equipment including the flue that must be detailed on the plan as part of the odour abatement scheme.

1.33 I would require conditions to mitigate external noise from deliveries by placing a restriction on times of loading and unloading. I note that an external terrace area is to be provided as part of this development and I would have concerns about potential noise breakout from this area and for this reason it will be necessary to restrict the hours of use to minimise noise from customers late at night.

1.34 I would therefore recommend the following conditions:

- A noise scheme must be submitted providing details of the mitigation measures to be carried out to prevent noise breakout particularly with regard to amplified or live music from the proposed commercial development. The scheme must include details of an appropriate air conditioning system to protect against windows being opened during live, amplified music activities and other leisure activities giving rise to impact noise.

- No windows should be open within any room of the development where live music or amplified music/ speech is occurring except in case of emergency. If ventilation is inadequate due to the windows being closed a ventilation or air conditioning system will be necessary.

- NOI02

- Prior to the installation of external plant, ventilation and extraction systems to the development, a noise scheme must be submitted to the planning authority agreed in writing giving mitigation measures and thereafter implemented and maintained. The noise scheme must provide details of all noisy external plant and any tonal or impulsivity characteristics to the plant and the assessment must be carried out in accordance to BS4142 to ensure that the rating level at the boundary of the nearest residential premises does not exceed the background noise level by more than 5 dB for the representative operating times of the plant and equipment.

- 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 maintained 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.

- The external terrace area and any other external seating area shall not permitted to be used between the hours 22:00 and 08:00 hours Monday to Sunday.
- Deliveries and collections from the loading bays shall be restricted to 07:00 hours and 23:00 hours.
- EPL01(Flue for kitchen extraction to 1 m above eaves or at roof ridge, flue to be acoustically mounted to the wall to prevent vibration noise.)
- EPL02 and 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.
- HOU03 to those on application.
- HOU04; SIT03; and LIG01 New external artificial lighting

1.35 Highway Network Manager

1.36 The building forms part of the wider Spanish City, which has benefitted from significant investment in recent years and the proposed use compliments this development. Access remains unchanged and the site benefits from shared off-street parking. Furthermore, the site has good links to public transport and is within a reasonable walking distance of the town centre. Conditional approval is recommended.

1.37 The applicant will be required to stop up the highway within the site that is no longer required under Section 247/257 of the Town & Country Planning Act 1990.

1.38 Conditions:

- REF01 Refuse Storage: Detail, Provide Before Occ
- SIT05 Construction Management
- No part of the development shall be occupied until a service management plan for the site has been submitted to and agreed in writing by the Local planning Authority. Thereafter this service management plan shall be carried out in accordance with the agreed details.
Reason: In the interests of highway safety.

- No part of the development shall be occupied until a scheme for covered, secure cycle parking has been submitted to and agreed in writing by the Local planning Authority. Thereafter this scheme shall be carried out in accordance with the agreed details.
Reason: In the interests of highway safety.

- No part of the development shall be occupied until a scheme to stop up the redundant adopted highway within the site has been approved by in writing the Local Planning Authority.

Reason: In the interests of highway safety.

- No part of the development shall be occupied until a Framework Travel Plan has been 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.

Informatives:

I05 - Contact ERH: Construct Highway Access

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlp

1.39 Local Lead Flood Authority

1.40 I have carried out a review of the proposals identified in planning application 20/01563/FUL, I can confirm as there are only minor alterations to the building footprint I have no objections to the proposals as this will not lead to an increased flood risk in the area.

1.41 Contaminated Land Officer

1.42 I have read the Phase 1 report submitted in support of this application. I accept the report findings that:

"No further site investigation is required to investigate the potential for contamination or a potential gas regime."

No conditions are required.

1.43 External Consultees

1.44 Natural England

1.45 No objection, subject to appropriate mitigation being secured.

1.46 We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Northumbria Coast Special Protection Area and Ramsar Site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Northumberland Shore Site of Special Scientific Interest has been notified.

1.47 In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- A financial contribution to the North Tyneside Coastal Mitigation Service to mitigate impacts of increased recreational disturbance.
- A Construction Environmental Management Plan, agreed between your authority and the applicant, to mitigate construction phase impacts on notified features.

1.48 We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

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Application No: 20/01564/LBC Author: Julia Dawson
Date valid: 8 October 2020 ☎: 0191 643 6314
Target: 3 December 2020 Ward: Whitley Bay
decision date:

Application type: listed building consent

Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG,

Proposal: Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations (Revised Plans & Additional Documents uploaded 11.12.20 & 18.12.20)

Applicant: Carlton Club Ltd, Mark And Lorraine Holmes 21 Farringdon Road
Cullercoats NE30 3ER

Agent: Mario Minchella Architects, Mario Minchella Unit 4 Witney Way Hi-Tech
Village Boldon Business Park Boldon NE35 9PE

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider are:

- Impact on the character and appearance of the Listed Building

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

2.0 Description of the Site

2.1 The site to which the application relates is the former Carlton Bingo Hall (previously the Empress Ballroom) which adjoins the Spanish City Dome. It is a Grade II Listed building.

2.2 The listing description is as follows:

2.3 Theatre and amusement arcade. 1908-10 by Cackett and Burns Dick for Whitley Pleasure Gardens Ltd; L.G. Mouchel engineers. Patent Hennebique 'ferro- concrete' (reinforced concrete); bronze statues. Free Baroque style. 2-storey 3-bay main block flanked by 3-storey towers and one-storey 4-bay wings.

Central block: 7 wide steps to 3 double doors under bracketed keyed arch with deep panelled soffit. Bracketed fascias to shops in outer bays defined by pilasters with garland and wreath ornament; pilasters and entablature to first floor with 3 renewed windows. Tower doors have bracketed canopies under lunettes; 2 upper stages contain sash window in architrave and slit windows. Cornice. One-storey wings have pilasters defining bays and wreaths to fascia. Central dome has colonnaded lantern and iron finial; drum has 12 round windows in projecting panels. Other roofs flat. Towers crowned by bronze statues of cymbal players. Door head in right tower and pilasters in right wing obscured by signs at time of survey.

3.0 Description of the Proposed Development

3.1 Listed building consent is sought for external and internal physical alterations, including a two storey extension with second floor external terrace in order to facilitate the change of use of the application site to into several commercial uses to include a function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no. pop up bars, and 2no.commercial units to new upper floors.

4.0 Relevant Planning History

14/00686/LBC - Reinstatement of previously removed 1910 historic features, including new higher Tower Tops, Loggias to first floors of both wings, shopfronts, doors and windows to all elevations. Removal of 1924 ground floor extension to West elevation of West wing and removal of modern steel fire escape Staircase from first floor of Rotunda over the West wing- Approved 16.07.2014

15/00285/LBC - Proposed illuminated fascia signage for Carlton Clubs and Bingo – Approved 27.04.2015

16/00150/LBC - Listed building consent for the refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance, an accessible lift and feature stair. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows and the removal of the central floor area within the dome at first floor level – Approved 12.05.2016

17/00994/LBC - Making good of the South West and South East elevation of Carlton Bingo Empress Ballroom, following the demolition of the adjacent building as part of a separate planning permission. The works materially affect the external appearance of the Grade II Listed property, to make external walls water tight and a new render improve the appearance of the facade – Approved 10.11.2017

17/01165/LBC - Demolition and reinstatement of the existing piers, frieze and fascia above the three shop fronts to the East Wing on the North Elevation at Spanish City, Whitley Bay due to structural health and safety concerns – Approved 22.09.2017

20/01563/FUL - Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations – Pending Decision

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 (Listed Buildings and Conservation Areas) Act 1990

6.4 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 issue in this case is the impact of the proposed works in the character and appearance of the Grade II Listed Building.

8.0 Character and Appearance

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

8.2 In respect of designated heritage assets the NPPF states that in determining planning when determining the impact on the significance of a heritage asset great weight should be given to the assets conservation. The more important the asset the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.3 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.

8.4 Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

8.5 Local Plan Policy S6.5 'Heritage Assets' seeks to pro-actively preserve, promote and enhance its heritage assets.

8.6 Policy DM6.6 'Protection, Preservation and Enhancement of Heritage Assets' states that proposals that affect their setting will be permitted where they sustain, conserve and where appropriate enhance the significance, appearance, character and setting of heritage assets in an appropriate manner.

8.7 Policy DM6.7 'Archaeological Heritage' states that the Council will seek to protect, enhance and promote the Borough's archaeological heritage and where appropriate, encourage its interpretation and presentation to the public.

8.8 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.

8.9 Policy AS8.17 'Visitor Attractions and Activities at the Coast' states that the following proposals and activities have been noted as particular opportunities at the coast that could enhance its role for tourism over the life of the plan:

a. Restoration and re-use of The Spanish City dome and surrounding development site

8.10 Policy AS8.18 'The Spanish City' states that the Council will support, through the retention and improvement of the grade II listed Spanish City site, the development of a mix of uses that make a positive contribution to the tourism offer for the coast and support Whitley Bay as a fun and family friendly destination

8.11 One of the objectives set out within the Local Plan is explore and identify opportunities for regeneration and investment across the Borough. One of the early examples of regeneration priorities within North Tyneside, as set out in objective 6, is to provide new facilities and improved public realm to develop the tourism and visitor offer whilst conserving the historic environment at the Coast from North Shield's Fish Quay as far as St Mary's Lighthouse.

8.12 Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

8.13 The applicant has submitted a Heritage and Conservation Statement in support of the applications for planning permission and listed building consent. This sets out the history of the site (and wider Spanish City complex),

designations and an examination and assessment of the architectural significance of the areas within the host building – auditorium, gallery, crush space, stage, ground and first floor extensions, and the impact of the proposed development on the significance of the listed building.

8.14 The application site is Grade II Listed. The Statement describes The Spanish City as an Edwardian seaside pleasure complex located on the seafront at Whitley Bay, Tyne and Wear. It was built in 1910 and originally consisted of four separate design elements: rotunda, north range, theatre and pleasure grounds. Its layout has an angled linear nature where the rotunda acts as the rotation point. Off the rotunda to the north is the North Range and the former Theatre to the south. The Theatre sits at a large single storey with surrounding two storey extensions and back of house accommodation. Although the complex is constructed predominantly in reinforced concrete the Theatre has load-bearing brickwork walls and a welsh slate roof covering over. The complex fronts onto a plaza and promenade to the north. The Spanish City site has undergone considerable change over the years with the Spanish City Dome being restored and reopened as part of a major regeneration project.

8.15 Specifically, the application site (former Carlton Bingo) was originally constructed in 1910 as a theatre. It was then converted to the Empress Ballroom room in 1920, and later converted into a bingo hall in 1961. Ground and first floor extensions were added to the building over the years, and various internal alterations were undertaken.

8.16 The Statement sets out how the concept of the development proposals has been guided to maximise flexibility of uses across the site, extent of net commercial lettable space and to minimise the impact of any modern intervention on the historic building fabric. The proposed physical alterations to the building will include the following:

- A new two storey extension to the south east corner of the site to provide an entrance and circulation atrium and external terrace.
- A curved ramp to provide inclusive ground floor access and a lift and stairs to provide vertical access to all levels within the building.
- Installation of an acoustic partition to the vaulted space on the upper floor.
- Refurbishment and reinstatement of the glass dome and west window (to the proposed function room/wedding suite)
- Two new levels of commercial floor space to be created within the fly tower at high level above the stage and accessed via the new south east entrance atrium.
- Installation of series of tall rectangular windows in southern elevation.
- New entrance and canopy to the ground floor cocktail bar.
- Reinstatement of the former windows along the western elevation
- New feature signage to the south west corner of the building.
- Installation of solar panels.

8.17 The Northumberland and Newcastle Society have offered their support to the principle of the proposed works but have raised some concerns, specifically with regard to curved wall at the rear of the performance area, the stage and backstage arrangements and the design of the proposed south elevation and new entrance. The Northumberland and Newcastle Society note that the new

entrance feature and south elevation will be a major contribution to the Whitley Bay townscape and consider that to approve the proposed development in its current form, without amendments to address their concerns, would be a lost design opportunity. These concerns are noted.

8.18 However, the Council's Design Officer has provided Heritage comments in relation to the proposed works and these are generally supportive, specifically of the new entrance extension, which he considers will sit comfortably alongside the existing building. Conservation principles set out that there should be minimum intervention to historic buildings and it is noted that the proposed development includes the installation of new windows to the southern elevation. However, it is considered that these are acceptable due to the fact that they will enhance the elevation and improve the internal space. Detailed design of the windows will be conditioned. The remainder of the proposed external works are also considered to be acceptable, subject to conditions to ensure their final detailed design.

8.19 Several changes are proposed to enable the internal reconfiguration of spaces. Whilst it is acknowledged that the proposed new use may benefit from these changes, they must not be to the detriment of the building's significance. The overriding feature of significance is its intact appearance as a theatre and all aspects relating to this use, for example, its arched ceiling, gallery and proscenium arch must continue to be visible and able to be appreciated throughout the building, as existing. The main concern relates to the amount of glazing to be provided within the acoustic dividing wall as it is important that a view of the historic ceiling is maintained. The acoustic wall will separate a function room and an upper cabaret seating area, and as such, the applicant has advised that it is important that this wall prevents noise breakout. A condition is suggested to ensure that the final technical design of the wall is fully controlled to ensure that it can achieve its intended function whilst not resulting in harm to the significance of the listed building.

8.20 Overall, it is considered that the proposed works are appropriate for the application site and will not result in any significant harm to the character and appearance of host building, wider Spanish City complex or the significance of the listed building itself.

8.21 The proposed works are also in keeping with the objectives of policies AS8.15, AS8.17 and AS8.18 which seek to provide new and improved facilities at this site.

9.0 Conclusion

9.1 Members need to determine whether the proposed works are acceptable in terms of their impact on the significance and the character and appearance of the heritage asset (Grade II Listed Buildings). Officer advice is that the proposed works are acceptable for the reasons set out within this report and are therefore in accordance with the advice in NPPF and policies S6.5, DM6.6, AS8.15, AS8.17 and AS8.18 of the Local Plan. It is therefore recommended that listed building consent is granted subject to the suggested conditions.

RECOMMENDATION: Application Permitted

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 07.10.2020
- Location Plan, A100, Rev.B, 21.01.21
- Proposed Zoning Plans, A105, Rev.C, 07.12.20
- Proposed Ground Floor Plan, A106, Rev.F, 18.01.21
- Proposed Upper Floor Plan, A107, Rev.E, 18.01.21
- Proposed New Upper Floors, A108, Rev.D, 18.01.21
- Proposed Elevations, A109, Rev.C, 07.12.20
- Proposed Siteplan, A110, Rev.D, 07.12.20
- Existing + Proposed 3D View 01, Rev.C, 07.12.20
- Existing + Proposed Long Section, A112, Rev.B, 07.12.20
- Existing + Proposed Short Section, A113, Rev.C, 07.12.20
- Existing + Proposed Roof Plan, A114, Rev.B, 07.12.20
- Proposed Heritage Plans, A115, 28.09.20
- Design and Access Statement, 3310/ACW, September 2020
- Heritage and Conservation Statement, v.3, 06.10.2020
- Heritage Record and Schedule of Works - 3310 Empress
- Main Heritage Interventions - 3310 Empress

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

2. Standard Time Limit 3 yr LBldg Consent MAN07 *

3. Prior to commencement of the approved development above damp course level the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- Samples of the materials and finishes for the extension.

Thereafter, the development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the materials are acceptable, and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

4. Prior to commencement of any demolition/development in respect of the following matters, the information set out below shall be submitted to and agreed in writing by the Local Planning Authority:

- Details of fixings and materials for the acoustic wall between function room and cabaret gallery.
- Detailed design of glass lantern in the proposed wedding room.
- Details of wall to be removed in the proposed raised ceremony zone - this should include a drawing to show the area of wall that is proposed to be removed.
- Details of the paint colour and finish type for the theatre space.
- Design of new openings on the south elevation which must include concealed frames.

- Details of the reinstatement of windows on the west elevations.
- Details of automatic roof light above the fire exit stair serving the commercial units (which must be as flush fitting and recessed as possible)
- Details of signage including size, materials illumination and fixings.

Thereafter, the development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the materials are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

5. Prior to the commencement of use of any part of the approved development, full details of the boundary treatment to be installed to the refuse and external plant area must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boundary treatment shall be installed in complete accordance with the approved details.

Reason: To ensure that the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

6. Prior to their installation, full details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the solar panels shall be installed in complete accordance with the approved details.

Reason: To ensure that the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.

7. No demolition/development shall take place until a programme of archaeological building recording has been completed in relation to the historic back-stage theatre equipment. This programme shall include a written and photographic record using high resolution JPEG format photographs in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

8. Prior to any re-instatement of the opening between the application site and the adjoining Spanish City Dome, full details of the how the opening will be undertaken (sections, elevations, floor plans, materials, finishes etc.) 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 the materials and appearance are acceptable and the works are carried out in a manner appropriate to the listed building in accordance with the advice in National Planning Policy Framework and Local Plan Policies S6.5 and DM6.6.



Application reference: 20/01564/LBC

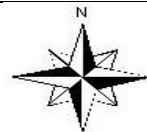
Location: 11 Spanish City Plaza, Whitley Bay, Tyne And Wear, NE26 1BG

Proposal: Redevelopment of former Carlton Club (Bingo Hall) into various commercial uses to include function room/wedding suite, cabaret/performance venue, late night venue/cocktail bar, restaurant, circulation/including 2no pop up bars, 2no commercial units to new upper floors, including the construction of new two storey extension with second floor external terrace and internal alterations

Not to scale

Date: 04.03.2021

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Consultations/representations

1.0 Councillor O’Shea (Whitley Bay):

1.1 I very much support the above planning applications. In the event that Planning Officers are minded not to grant planning permission for these applications I would request that I be able to make representations to the Planning Committee.

1.2 Kymel Trading (operators of Spanish City):

1.3 No objections to the redevelopment of the former Carlton Club site and welcome further investment in the area. Strongly object to the proposed reinstatement of the link between the application site and Spanish City. These works themselves would require planning and listed building consent and the location of such link suggested would disrupt in the internal operation of Spanish City.

1.4 Internal Consultees

1.5 Design Officer (Heritage)

1.6 A contemporary glazed extension is proposed to the east of the building. The extension is suitably set back from the building line and is subservient to the main building. There are some concerns about the visibility of the lift shaft although it is set back to the rear of the roof. Any further visuals that the applicant could provide to show this element of work would be welcomed. The extension is made up of two glazed blocks. The internal uses and arrangement of space will be completely visible through the glass wall and therefore needs to be sensitively designed along with lighting. An external terrace is proposed on the extension and the elevations show that this is enclosed with a glass balustrade. Overall, the extension will sit comfortably alongside the listed building.

1.7 The application proposals include the insertion of five tall vertical windows on the upper floors of the south elevation. In line with conservation principles there should be minimum intervention to historic buildings. On this basis new openings would not usually be supported; however, I appreciate that the windows could potentially enhance the elevation and would improve the internal space. The design of the openings has been discussed with the applicant to ensure that they would be clearly read as modern additions. The windows will be designed with concealed internal window frames and the detailed design of this should be conditioned.

1.8 On the west elevation it is proposed to reinstate the former windows which have been blocked in. This is supported and appropriate materials are proposed for the windows; dark brown powder coated aluminium frames reflecting those used in the adjacent Spanish City Dome complex. It is proposed to reinstate a feature glass dome which is supported. A new roof light is also proposed; this should be a conservation rooflight with a flush recessed fitting/flashing. Solar panels are proposed but no further detail has been provided. The principle of solar panels is acceptable although the detailed design should be conditioned.

1.9 A detailed schedule of works has been submitted which is a thorough account of the proposed works, however the area numbers need to be shown on a layout plan and included in the document. This will make it easier to identify where the works are being proposed.

1.10 Internally there are several changes proposed including the reconfiguration of spaces. Whilst it is acknowledged that the proposed new use may benefit from these changes, they must not be to the detriment of the building's significance. Much of the space in the auditorium has been subject to several changes in the past. Therefore, some further amendment is acceptable, subject to full consideration given to the impacts of any harm being weighed against the resultant benefits. The overriding feature of significance is its intact appearance as a theatre. All aspects relating to this use, for example, its arched ceiling, gallery and proscenium arch must continue to be visible and able to be appreciated throughout the building, as existing. An acoustic dividing wall is proposed on the upper floor to form a function room and upper cabaret seating area. A glazed window is proposed in the wall so that a view of the historic ceiling is maintained. The principle of this was supported during pre-application discussions, however during the detailed design the size of the glazing has been substantially reduced. The applicant has sited that this is due to the acoustic requirements to reduce noise transfer between the two venues. There are concerns about the reduced size of the glazing and the impact that it has on the significance of the building. It is requested that the acoustic measures are reviewed to see if any further glazing can be incorporated. If not, then the acoustic performance calculations should be submitted to justify the proposed approach.

1.11 The stage area is proposed to be extended to make the performance area more functional. This is designed to have limited impact on historic fabric. The new window openings on the south elevation in combination with the addition of two new floors will result in the loss of historic stage equipment which will cause harm to the significance of the building. As mitigation, this equipment should be recorded with a written and photographic record. In other areas, partitions are designed to have no abutments with historic feature plasterwork or columns and works are reversible. Other works outside of the main theatre will have little or no harm to the historic fabric.

1.12 Items to condition:

- Samples of the materials and finishes for the extension.
- Details of fixings and materials for the acoustic wall between function room and cabaret gallery.
- Building recording of historic stage equipment. This should include a written and photographic record using high resolution JPEG format photographs.
- Detailed design of boundary treatments for refuse area and external plant area.
- Detailed design of glass lantern in the proposed wedding room.
- Details of wall to be removed in the proposed raised ceremony zone – this should include a drawing to show the area of wall that is proposed to be removed.
- Details of the paint colour and finish type for the theatre space.
- Design of new openings on the south elevation which must include concealed frames.

- Details of the reinstatement of windows on the west elevations.
- Details of roof light which should be conservation style with a flush recessed fitting/flashing.
- Details of signage including size, materials illumination and fixings.
- Details of solar panels.

1.13 Tyne and Wear Archaeology Officer

1.14 No demolition/development shall take place until a programme of archaeological building recording has been completed in relation to the historic back-stage theatre equipment, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

1.15 External Consultees

1.16 Northumberland and Newcastle Society

1.17 Our submission is the application may be granted subject to the revisions referred to below.

1.18 The Society considers the depth of positive public response North Tyneside Council quite rightly received for the sympathetic restoration of the Spanish City should stand as a benchmark for this proposed further stage of development. The quality of that work should signpost the applicants to ensure this neighbouring building has empathy with not just the Spanish City but also the wider improvements planned for this area of great local significance. From “back of house” the building has become “front of stage” and the new external appearance should add a sympathetic and positive design element to the continued rejuvenation of Whitley Bay.

1.19 This was built as the theatre of the Spanish City. It has been much altered internally and it is not proposed to return the interior to its original design. It will contain mixed uses resulting in some further changes to the interior but the general approach of conserving what remains of the original is very welcome. The glazed screen is an imaginative idea. However it is not clear how the curved wall at the rear of the performance area relates structurally to its surroundings and the wall above it, nor what it will be built of. The stage and backstage arrangements were only clarified by the sections and still seem confusing.

1.20 The Society notes the strong objection submitted by the owners of the Spanish City to gaining access from there and we would therefore expect some revisions will have to be made to the plans as a result.

1.21 We feel the least satisfactory element of the plans is the design of the proposed south elevation and new entrance. The south elevation was never meant to be seen and has only come into real prominence with the construction of the new road behind the Spanish City. We consider the long two storey vertical windows lack sympathy with the site vernacular and certainly feel that if the half-width window to the right cannot be of matching proportions it should be omitted.

1.22 While the proposed new staircase and entrance wing will tidy up and screen the eyesore parts of the existing building the proposed design is a culture shock which needs to be given further thought. The Design and Access Statement describes it as a robust and acceptable modern design which does not look to overbear or compete in terms of massing.

1.23 Our belief is to the contrary as it seems to do just that by way of its assertive, even rather dated, use of glazed curtain walling between “metal effect” clad piers and brick curtain wall (as far as we can tell – the proposed elevations drawings give no indication of materials) is unsympathetic and in contrast to the main building which is now rendered externally. Ultimately what is needed is a good imaginative piece of design which will be an unobtrusive addition to building, blending with it and not drawing attention to itself.

1.24 This feature, indeed the whole south elevation, will be a major contribution to the townscape of Whitley Bay, and just as the new hotel next door was a lost design opportunity, so will this be without further consideration.

1.25 In summary we support the application in principle however we believe the proposed design requires significant revision taking account of our detailed comments above and consequently we submit it should be substantially amended before the planning authority considers granting approval for this development.

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Application No: 20/00604/REM Author: Rebecca Andison
Date valid: 12 May 2020 ☎: 0191 643 6321
Target: 11 August 2020 Ward: Riverside
decision date:

Application type: approval of reserved matters

Location: Howdon Green Industrial Estate, Norman Terrace, Wallsend, Tyne And Wear

Proposal: Submission of Reserved Matters pursuant to Outline Planning Approval for residential development for 83 dwellings including details of layout, scale, appearance and landscaping of the site

Applicant: Mr Ken Haldane, 1st Floor Pegasus House 37-43 Sackville Street
London W1S 3EH

Agent: Persimmon Homes, FAO Mr Samuel Kenny Persimmon House Roseden
Way Newcastle Great Park NE13 9EA

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.1 The main issues for Members to consider in this case are whether the reserved matters relating to the layout, scale, appearance and landscaping for outline planning permission 08/03131/OUT are acceptable.

2.0 Description of the Site

2.1 The application site is a vacant industrial estate of 3.1 hectares in area, allocated for housing (Site 103 Howdon Green) within the North Tyneside Local Plan.

2.2 The site has been subject to landfill in the past and the levels across the land rise significantly to the north. The site is accessed via Norman Terrace to the south and is surrounded by mature planting.

2.3 To the west of the site is a recently completed housing scheme for 14no. dwellings and to the east is a large area of designated open space with the A19 beyond. To the south are existing Victorian terrace properties, and to the north is Howdon Park. There are strategic cycle routes to the west and the east of the site.

3.0 Description of the Proposed Development

3.1 In 2017 outline planning permission was granted for a development of 83no. dwellings.

3.2 This application seeks approval of the matters reserved under condition 1 of the outline permission. A total of 83no. dwellings including 10no. affordable units are proposed.

3.3 In support of the application, the following reports/documents have been submitted:

- Planning Statement, incorporating Affordable Housing Statement
- Design and Access Statement
- Air quality assessment
- Arboricultural method statement
- Breeding bird survey
- Ecological impact assessment
- Preliminary ecological appraisal
- Protected species assessment
- Travel plan
- Transport assessment
- Noise assessment

4.0 Relevant Planning History

08/03131/OUT - Outline planning application for residential development for 83 dwellings and details of proposed access – Permitted 10.05.2017

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 National 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 reserved matters relating to the layout, scale, appearance and landscaping for outline planning permission 08/03131/OUT are acceptable.

7.2 Consultation 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 Preliminary Matters

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 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.

8.6 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).

8.7 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.

8.8 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.

8.9 Policy S4.1 states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific deliverable housing sites, including the positive identification of brownfield land and sustainable greenfield sites that do not fall within the Borough's Green Belt, whilst also making best use of the existing housing stock.

8.10 The application site is identified for housing under Policy S4.3 of the North Tyneside Local Plan (2017).

8.11 The principle of building 83no. residential dwellings on this site was firmly established when outline planning permission was granted in 2017.

9.0 Layout

9.1 Paragraph 124 of the NPPF recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

9.2 Paragraph 127 of the NPPF states that planning policies and decisions, amongst other matters, should ensure that developments:

- will function well and add to the overall quantity of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

9.3 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.

9.4 Paragraph 180 of the 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 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 amongst other matters; mitigate and reduce to a minimum potential adverse impacts resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

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

9.6 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.

9.7 Paragraph 157 of the NPPF advises that all plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

9.8 Policy DM4.9 states that to ensure that new homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1 October 2018 the following standards will apply, subject to site viability:

Accessibility of homes:

Market Housing

a. For new housing developments, excluding low-rise non-lift serviced flats, 50% of homes are to meet building regulation M4(2) – ‘Category 2 -accessible and adaptable dwellings’.

Affordable Housing

b. For all new housing developments, excluding low-rise non-lift serviced flats, 90% of homes should meet building regulation M4(2) – ‘accessible and adaptable dwellings’.

c. 10% of new homes where the local authority is responsible for allocating or nominating a person to live in that dwelling should meet building regulation M4 (3) (2) (b). When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up-to-date information on specific need in the local area. Where there is no specific need identified, then M4 (3) (2) (a) will apply, to allow simple adaptation of the dwelling to meet the future needs of wheelchair users.

Internal Space in a Home:

d. All new homes, both market and affordable, will meet the Government’s Nationally Described Space Standard (NDSS).

9.9 Local Plan Policy DM5.19 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. 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.

9.10 Policy DM6.1 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 the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents.

9.11 Policy DM6.1 states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents.

9.12 Policy DM7.4 New Development and Transport states that the Council and its partners 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 residents health and well-being.

9.13 Policy DM5.14 'Surface Water Run off' of the Local Plan 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). A reduction in surface water run off rates will be sought for all new development. 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 development where appropriate and achievable.

9.14 Policy DM5.15 'Sustainable Drainage' 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).

9.15 The Council has produced an SPD on Design Quality. It states that the Council will encourage innovation in design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated. It also states that all new buildings should be proportioned to have a well-balanced and attractive external appearance.

9.16 The Transport and Highways SPD set out the parking standards for new development.

9.17 The overall layout of the development is similar to the indicative layout submitted as part of the outline application (08/03131/OUT).

9.18 The development is designed around a primary access route which leads into the site from Normal Terrace and culminates in two cul-de-sacs. It includes a mixture of 2 and 2.5 storey terraced, semi-detached and detached dwellings. Some properties are provided with integral or detached garages, while others have frontage parking.

9.19 The topography of the site comprises two flat areas dissected by a large rise in the centre. To accommodate the difference in land levels the development includes a retaining structure which runs between the rear gardens of two rows of properties.

9.20 The development retains a belt of mature trees around its perimeter and includes additional tree planting in these areas to mitigate for trees that would be lost elsewhere within the site.

9.21 The Planning Policy Officer (Design) has provided comments throughout the application process, and changes to the scheme have been made to address the concerns raised. The Planning Policy Officer still has concerns regarding the arrangement of the 2.5 storey units (units 32 – 37) and the impact they would have on the streetscene. He also has concerns regarding the amount of parking which is proposed in front of these units.

9.22 The applicant has amended the layout to reduce the concentration of parking to the front of properties and introduced areas of planting to help break up the areas of hard surfacing. They have advised that it is not possible to make further changes without compromising the levels of parking provided.

9.23 With regards to the distribution of the 2.5 storey units the applicant has advised that due to the level changes within the site there will be 1m (approx.) retaining walls staggered between the different house types in the area of the site where units 32-37 are located. This means that instead of a change in height a gradual climb of roof ridges will be seen in this area. The ridge heights will level off at plot 38, which will sit 1 metre higher than plots 35-37 and thus their roof lines will align. It is also noted that there are limited views of this part of the site as plots 35-38 are set back as they follow the bend of the road.

9.24 On balance, it is officer opinion that the parking layout and the distribution of the 2.5 storey units is acceptable.

9.25 The development provides adequate separation distances between dwellings within the development to ensure that future occupiers enjoy good levels of light, outlook and privacy, and the dwellings meet the Government's Nationally Described Space Standard (NDSS).

9.26 The separation distances provided between the development and existing residential properties are also considered to be acceptable. The proposed dwelling on plot 1 would be located approximately 12m to the north of existing housing on Norman Terrace. The southern gable elevation contains ground and first floor windows, some of which serve habitable rooms. Given that these rooms are also served by windows in the rear elevation of the property it is considered acceptable to impose a condition requiring that the first-floor windows are obscurely gazed. This would prevent any loss of privacy to existing residents. The other properties along the south elevation of the development would be at least 35m from existing dwellings.

9.27 A minimum of 21m would be provided between dwellings on the west side of the street and existing residential properties on Howdon Green.

9.28 The application includes a noise assessment (dated 2008) which was also submitted as part of the outline application.

9.29 The Manager of Environmental Health has been consulted and provided comments. She states that the air quality assessment and the noise assessment date back to 2008 and in most instances it would be necessary for these reports to have been updated to reflect the most current noise climate. However, it is noted that the industrial estate is no longer in existence and the A19 noise

climate will have improved due to road changes for the Tyne Tunnel resulting in improved traffic flow. The Manager of Environmental Health therefore considers that the implementation of the mitigation measures specified within the noise assessment report should ensure that the development achieves acceptable noise levels within the homes and gardens subject to acoustic fencing being provided along the boundaries gardens facing towards the A19. Conditions are recommended in respect of: construction and piling hours, dust suppression measures and requiring that double boarded fencing must be fitted to all gardens adjacent to the A19.

9.30 The outline application includes conditions for dust suppression measures and to control the construction hours. The applicant will be required to comply with these conditions. It is recommended that additional conditions are imposed to control the hours during which piling can take place and the boundary fencing.

9.31 The means of access was agreed at the outline stage. There is a single point of access for the development, taken directly from Norman Terrace in the south west corner of the site.

9.32 A Transport Assessment (TA) and Travel Plan (TP) were submitted as part of the outline application. These assessed the local highway network and demonstrated that the impact of the development on the local highway network would not be severe under the guidance set out in the NPPF.

9.33 The Highway Network Manager has been consulted and recommends conditional approval of the application. He notes that the principle of development has already been agreed and that appropriate conditions and informatives were included as part of the outline permission. He advises that the proposed layout is acceptable in terms of parking provision, highway layout and pedestrian and cycle accessibility. He recommends conditions in respect of a construction management plan and wheel wash facilities. These conditions are included as part of the outline permission.

9.34 A Flood Risk Assessment (FRA) was submitted as part of the outline application. Surface water attenuation will be provided for a 100year +40% rainfall event via a SUDs storage pond in the south east corner of the site and the existing surface water drainage network. The surface water discharge rate would be restricted to equivalent greenfield run-off rates before discharging into the local sewer network.

9.35 The Council's Local Lead Flood Authority (LLFA) has been consulted. He advises that he has no objections to the proposal and recommends conditions requiring that the development is constructed in accordance with the submitted details and that details of the SUDs maintenance regime and management company are provided.

9.36 Northumbrian Water has been consulted. They advise that a condition will be required in respect of a detailed scheme for the disposal of foul and surface water.

9.37 Members need to consider whether the layout of the proposed development is acceptable and whether it would accord with the advice in NPPF, policies DM7.4, DM5.19, DM5.15 and DM6.1 of the North Tyneside Local Plan and the 'Design Quality' SPD and weight this in their decision. Subject to conditions, it is officer advice that the proposed layout is acceptable and accords with national and local planning policies.

10.0 Scale

10.1 The NPPF states that local planning policies and decisions should ensure that developments that are sympathetic to local character, including the built environment, while not preventing or discouraging appropriate innovation or change (such as increased densities).

10.2 Policy DM6.1 'Design of Development' states that designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area. Amongst other criteria proposals are expected to demonstrate (a) a design responsive to landscape features, topography, site orientation and existing buildings, and (b) a positive relationship to neighbouring buildings and spaces.

10.3 The Design Quality SPD states that the scale, mass and form of new buildings are some of the most important factors in producing good design and ensuring development integrates into its setting.

10.4 The detailed design of the application is consistent with the design principles set out in the outline application. The development is predominantly 2-storey but some of the units provide accommodation over three floors by including rooflights. The height of the development is in keeping with the existing housing to the south and west.

10.5 A condition relating to levels was imposed as part of the outline application; the applicant will be required to meet the requirements of this condition.

10.6 Members need to determine whether the proposed scale is acceptable and whether it would accord with the NPPF, Policy DM6.1 and the 'Design Quality' SPD and weight this in their decision. It is officer advice that the proposed scale of the development is acceptable and accords with national and local planning policies.

11.0 Appearance

11.1 The Design Quality SPD states that the appearance and materials chosen for a scheme should create a place with a locally inspired or otherwise distinctive character. In all cases new developments should have a consistent approach to use of materials and the design and style of windows, doors, roof pitches and other important features.

11.2 The development is divided into two zones, rural and traditional, with each containing a range of complementary house types. The traditional zone runs from the site entrance, up the main spine route to the northern quarter of the site. Its character is designed to reflect the more urban residential area to the south

and west of the site. Dwellings would be constructed from red/multi brick with black doors, and the front gardens would be enclosed by black railings. The rural zone is located off the spine road and comprises quieter cul-de-sacs. Dwellings in this area would be constructed predominantly from buff brick with white doors and open plan front gardens.

11.3 The house types are traditional in form and incorporate features such as porches, stone window heads and sills.

11.4 Boundary treatments include 0.7m high black estate railings around the front gardens, 1.8m high fencing around the rear gardens and masonry walls with vertical fence panels to corner plots.

11.5 Conditions relating to the means of enclosure were imposed as part of the outline permission. The applicant will need to comply with this condition. Given that the outline application does not include conditions in respect of building or surfacing materials, it is recommended that these are imposed.

11.6 Members need to determine whether the proposed appearance is acceptable and whether it accords with policy DM6.1 and the Design Quality SPD and weight this in their decision. Subject to conditions, it is officer advice that the proposed appearance is acceptable and accords with national and local planning policies.

12.0 Landscaping 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 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.

12.5 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.

12.6 The ecology issues associated with the development of this land for housing have been assessed and fully considered as part of the approved outline application. The outline application included a tree survey, bat survey and great crested next assessment and protected species assessment. These documents have been resubmitted as part of the current application.

12.7 An Arboricultural Method Statement, Breeding Bird Survey, Preliminary Ecological Appraisal and Ecological Impact Assessment have been provided.

12.8 The application site consists of woodland, dense scrub, semi-improved grassland and bare ground with scattered scrub. The Ecological Impact Assessment (EclA) states that the site is of local value for bat species and is of up to parish value for breeding birds. The boundary habitats, particularly the broad-leaved woodland areas provide the most valuable habitat. A butterfly survey has also been undertaken. The survey recorded 13no. species of common butterfly within the grassland areas but dingy skipper and grayling butterfly (priority species) were not recorded.

12.9 All the semi-improved grassland and sections of broadleaved woodland and scrub would be lost to facilitate the scheme. Policy DM5.5 states that proposals should incorporate beneficial biodiversity and conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate. While no mitigation has been provided for the lost habitat it is important to note that outline planning permission has already been given to construct 83no dwellings on the site. The indicative layout submitted with the outline application clearly shows that a development of this size would require all the grassland habitat and some trees to be removed.

12.10 It is proposed to remove sections of 2no. tree groups on the west side of the site, 6no. trees in the south east corner to construct a drainage pipe for the SUD's area and 5no. trees from the south side of the site due to their proximity to the proposed dwellings. The level of tree loss is similar to that shown on the indicative plans submitted under the outline application. The proposed layout retains the majority of the mature trees around the site's boundary, and additional planting is proposed in these areas to mitigate for the trees that would be lost.

12.11 The Biodiversity Officer and Landscape Architect have been consulted and provided comments. With regards to the removal of trees for the drainage pipe they note that the number of trees to be removed has been reduced but question whether more trees could be retained by using alternative methods of installation such as trenchless techniques. The applicant has stated that this is not possible due to the topography of the site and there being a mound between the SUD's area and the offsite drainage. They have investigated whether the surface water pipe could be routed through the site entrance, but ground levels would not facilitate this due to the low point being in the south east corner of the site. Furthermore, due to the size and density of the trees the applicant has advised that it would not be possible to use equipment such as air spades to lay the pipe around tree roots as the integrity of the pipe could not be guaranteed without an easement in place.

12.12 Three areas of replanting are proposed and the Landscape Architect and Biodiversity Officer consider that this is sufficient to mitigate for the loss of trees and is an opportunity to improve the quality of the existing tree groups.

12.13 It is proposed to crown lift 1 no. tree which has been identified with potential for supporting bats. A checking survey will be required prior to any work being carried out to this tree. Bat foraging and commuting routes around the boundaries of the site could also be affected by external lighting. A condition will therefore be required to ensure that light spill is appropriately controlled.

12.14 The Landscape Architect and Biodiversity Officer have recommended a condition stating that trees T44, T45, T46, T48, T49 and T57 should be retained. For the reasons set out above it is necessary to remove these trees to construct the drainage pipe. Having explored alternate drainage solutions and pipe routes the applicant has advised that there are no alternative options available. It is therefore officer opinion that this condition should not be imposed given that there are no alternatives and that the tree loss can be mitigated by additional planting.

12.15 The Landscape Architect and Biodiversity Officer also state that a financial contribution should be made to mitigate the impact of additional visitors on the Northumberland Coast SPA and Ramsar Site.

12.16 These comments are noted and normally a contribution towards the Coastal Mitigation Scheme would normally be required for a housing development of this size. However, outline planning permission was given prior to the Coastal Mitigation SPD being adopted and as such we had no grounds on which to request a coastal mitigation contribution at that time. The purpose of the current reserved matters application is to agree the detailed design and layout rather than to consider the principle of development; therefore, it would be unreasonable to seek a financial contribution through the current application.

12.17 Conditions are recommended including in respect of: tree protection measures, level changes, tree pruning, a construction method statement, detailed landscape scheme, bat and bird boxes, external lighting and to ensure that no protected species are harmed during the construction work.

12.18 Natural England has been consulted. They have advised that they have no objections to the application subject to appropriate mitigation being to mitigate the impact of additional visitors on the Northumberland Coast SPA and Ramsar Site. For the reasons set out above it would not reasonable to request a financial contribution under this reserved matters application.

12.19 Members need to consider whether the proposed landscaping would be acceptable and in accordance with policies DM5.5 and DM5.9 and weight this in their decision. Subject to conditions, it is officer advice that the landscaping is acceptable and accords with national and local planning policies.

13.0 Other Issues

13.1 The Contaminated Land Officer has been consulted. She has advised that conditions should be imposed in respect of contaminated land and gas protection.

13.2 Conditions relating to gas protection were imposed as part of the outline application and it is not necessary to duplicate the conditions.

13.3 Nexus has requested that the applicant meets the costs of providing introductory tickets to future occupiers in order to encourage the use of public transport. Outline planning permission has been given for 83no. dwellings and no contribution towards ticketing was sought at the time. The same number of dwellings are proposed under the current application and it is not therefore considered reasonable to seek a financial contribution.

13.4 Northumbria Police have provided comments and raise concern over several aspects of the layout. Amendments have been made during the course of the application to address these concerns. The scheme originally included 2no. cycle links to the adjacent rights of way. These have been removed in accordance with Northumbria Police's advice. The PROW officer has confirmed that the links are not necessary. In addition, cycle and bins storage would be provided within the rear gardens.

14.0 Conclusion

14.1 The principle of residential development on this site has been firmly established by the previous outline planning permission. This application relates to those details still to be approved. Officer advice is that the layout, scale, appearance and landscaping are acceptable. Members need to decide whether they agree.

14.2 Members are advised that the conditions attached to the outline application remain valid and the applicant is still required to comply with these conditions as the development is progressed. It is therefore not necessary to repeat conditions which are already in place.

14.3 Conditional approval is recommended.

RECOMMENDATION: Application Permitted

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

Location plan 07403 AD (00) 004

Architectural layout HG/A/GA/001 Rev.J

Basin details 20017 21 P2

Typical boundary enclosures (Elevations) 125150/A/BOUND/04

Landscape masterplan 138040/8001 A

Architectural layout PH-ENG-01 (surface finishes)

Swept path analysis 20017 31 P4
 Engineering layout 20017 01 P8
 Indicative site sections HG/SS/010
 House type 0920 (Dalby R20) Rev.F
 House type 1043 (Braunton R20) Rev.F
 House type 0811 (Danbury R20) Rev.E
 House type 0763 (Epping R20) Rev.C
 House type 1095 (Gisburn R20) Rev.B
 House type 1276 (Selwood R20) Rev.F
 House type 0968 (Sherwood Corner R20) Rev.F
 House type 0968 (Sherwood R20) Rev.D
 Arboricultural Method Statement inc. Impact Assessment ARB/CP/2346

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

2. Prior to occupation of the development details of the maintenance regime for the surface water drainage infrastructure and contact details for the company responsible for this work, must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the proposed development would not increase flood risk in accordance with NPPF.

3. Prior to commencement of the development, a detailed scheme for the disposal of foul and surface water shall be submitted and approved in writing by the local planning authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: This information is required from the outset to demonstrate that the proposed development would not increase flood risk in accordance with NPPF.

4. Site Investigation	CON004	*
5. Remediation Method Statement	CON005	*
6. Validation Report	CON006	*
7. Unexpected Hotspots	CON007	*

8. There shall be no piling activities outside the hours of 10:00 to 14:00 on Monday to Saturday, with no piling permitted on Sundays or Bank Holidays.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

9. Notwithstanding condition 1, boundary screening, consisting of double boarded fencing, must be fitted to all gardens facing the A19 to mitigate noise levels from the A19 and comply with the World Health guidance levels for outdoor areas.

Reason: In the interests of residential amenity; having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

10. 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 must ensure any light spill to the adjacent woodland and scrub habitat around the site boundaries is below 2 lux 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 to ensure that local wildlife populations are protected having regard to policy DM5.19 and DM5.5 of the North Tyneside Local Plan (2017).

11. Prior to the construction of the crib wall detailed plans and details of the means of access and maintenance must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of design and amenity having regard to Policy DM6.1 of the North Tyneside Local Plan (2017).

12. Notwithstanding condition 1, 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 appearance having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

13. Notwithstanding condition 1, the first floor windows to be inserted in the south elevation of the dwelling on plot 1 shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass to a Level 3 or above. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

14. 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.

15. 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: In the interest of biodiversity and landscaping having regard to policy DM5.5 and DM 5.9 of the North Tyneside Local Plan 2017.

16. Prior to the commencement of any site clearance works (including demolition works, tree works, soil moving, hardstandings, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), tree protection shall be installed. The tree protection fence must be of a type and height as described in the AMS and TPP. The area surrounding each tree group within the approved protective fencing shall be protected for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. Photographic evidence is to be submitted on completion of the installation of the tree protective fence.

Reason: This needs to be a 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).

17. No changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority.

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.

18. Within 1 month of development commencing a plan indicating the positions, design, materials and type of any new or altered boundary treatments shall be submitted to and approved by the Local Planning Authority. All works where they impact on retained trees are to be carried out by hand and in accordance with BS 5837:2012 and AMS. All boundary treatments must include hedgehog gaps (13cmx13cm).

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.

19. All tree pruning works shall be carried out in full accordance with the details set out in the approved Arboricultural Method Statement and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works. Any additional pruning works must be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out.

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.

20. The contractors construction method statement required by condition 31 of the outline permission (08/03131/OUT) shall, in addition to the details set out in the original condition, include details regarding the storage of fuels and waste, concrete mixing, use of fires and include tree protection measures for the trees to be retained. Cabins, storage of plant and materials, parking are to be shown on a plan and not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.

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.

21. An arboricultural consultant shall be appointed to advise on the tree management for the site and to undertake regular supervision visits to monitor and oversee the implementation of the works as set out in the Arboricultural Method Statement. This condition may only be fully discharged on completion of the development subject to satisfactory written and photographic evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.

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.

22. Within one month of development commencing, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. All new trees shall be a minimum of 12-14cm girth and planted 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 and shrubs that die, are removed or becomes seriously damaged or defective within five years of planting shall be replaced in the next available planting season with others of similar size and species. The agreed landscaping shall be maintained for a minimum of five years in accordance with a maintenance schedule that must be submitted and approved in writing by the Local Planning Authority for the purposes of discharging this condition.

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

23. Prior to the occupation of any dwelling a post-construction re-assessment of the trees that remain on the site must be carried out and a report of the finding submitted to and agreed in writing by the Local Planning Authority. The assessment shall include the tree species, locations, condition, and any immediate or expected future requirements.

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

24. Prior to development commencing a Construction Environmental Management Plan (CEMP) must be submitted to and agreed in writing by the Local Planning Authority. Thereafter, all construction works will be undertaken in accordance with the approved Plan.

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

25. Prior to development commencing a Bat Checking Survey of T2, as indicated within the AIA, must be undertaken and the results, along with an appropriate Working Method Statement if required, must be submitted to and approved in writing by the Local Planning Authority.

Reason: This needs to be a pre-commencement condition to ensure that local wildlife populations and habitats are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

26. 5no. bat roosting features must be incorporated into the building design. Details of the roost feature 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 thereafter installed in accordance with the approved details.

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

27. 5no. bat roosting features must be located on appropriate trees within or adjacent to the site. Details of the roost feature 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 thereafter they must be installed in accordance with the approved details.

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

28. 10no. bird nest boxes must be incorporated into the building design and located on appropriate trees within or adjacent trees to the site. Details of nest 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 thereafter they must be installed in accordance with the approved details.

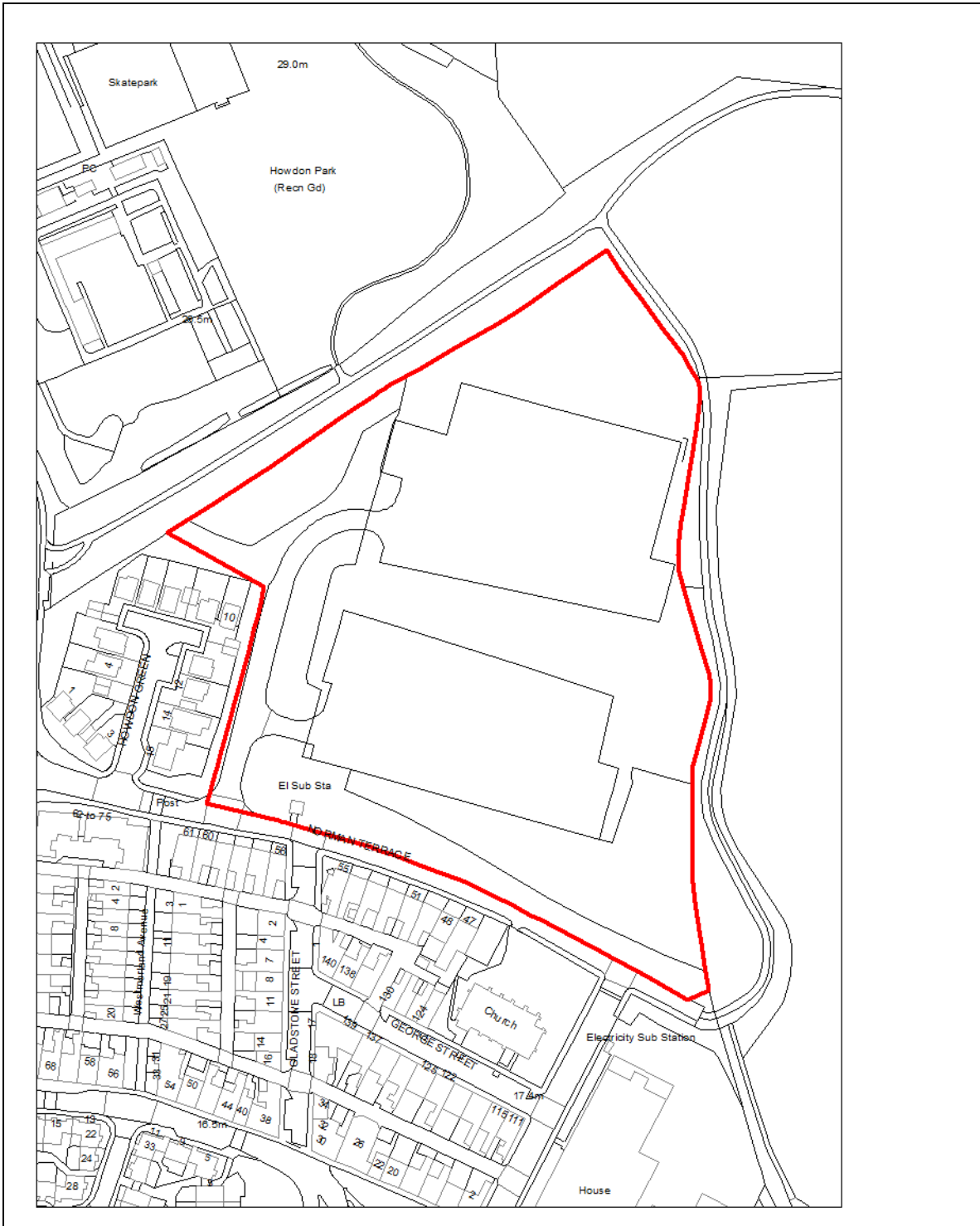
Reason: To ensure that local wildlife populations and habitats are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

29. Prior to commencement of development a badger and red squirrel checking survey must be undertaken and the results submitted to and approved in writing by the Local Planning Authority.

Reason: This needs to be a pre-commencement condition to ensure that local wildlife populations and habitats are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

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

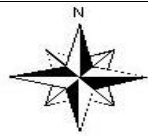
Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.



Application reference: 20/00604/REM
Location: Howdon Green Industrial Estate, Norman Terrace, Wallsend
Proposal: Submission of Reserved Matters pursuant to Outline Planning Approval for residential development for 83 dwellings including details of layout, scale, appearance and landscaping of the site

Not to scale
 Date: 04.03.2021

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Consultations/representations

1.0 Internal Consultees

1.1 Highway Network manager

1.2 This is a reserved matters application for 83 dwellings including details of layout, scale, appearance and landscaping of the site. Outline permission was granted in 2016 for access only with all other matters reserved (08/03131/OUT).

1.3 A Transport Assessment (TA) and Travel Plan (TP) were included as part of the previous applications that assessed the local highway network and the impact of the development on the local highway network was not deemed severe under the guidance set out in the NPPF.

1.4 The principle of development has already been tested and appropriate conditions and informatives were included on the original application. The proposed layout for this application is acceptable in terms of parking provision, highway layout and pedestrian and cycle accessibility. Approval is recommended with additional conditions for construction management & wheel wash.

1.5 Recommendation - Conditional Approval

1.6 Conditions:

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

1.7 Local Lead Flood Authority

1.8 I can confirm I have no objections to the revised drainage proposals.

1.9 I have carried out a review of planning application 20/00604/REM, I can confirm in principle I have no objections to the proposals. The development will provide surface water attenuation for a 100 yr + 40%(CC) rainfall event which will be stored within the site via the use of the surface water drainage network & a 815Cu.m SuDS storage pond. The surface water discharge rate will be restricted to equivalent greenfield run-off rate of 13.3l/s before discharging into the local sewer network.

1.10 I would recommend the following conditions are placed on the application:

- The developments Surface Water Drainage system to be constructed as per submitted Engineering Layout plan any alterations to this design will need to be approved by LLFA prior to construction.
- Details of the suds maintenance regime to be provided to the LLFA for approval.
- Details of the appointed Suds management company to be provided to LLFA upon completion of development.

1.11 Manager of Environmental Health (Contaminated Land)

1.12 The site lies within 250m of a known landfill. Due to its proposed sensitive end use the following must be applied

Con001

Gas 006

1.13 Manager of Environmental Health (Pollution)

1.14 The air quality assessment and the noise assessment date back to 2008 and in most instances it would be necessary for these reports to have been updated to reflect the most current noise climate. However, it is noted that the industrial estate is no longer in existence and the A19 noise climate will have improved due to road changes for the Tyne tunnel resulting in improved traffic flow.

1.15 The implementation of the mitigation measures specified within the noise assessment report indicates that the noise exposure internally within the proposed housing should meet the requirements of BS8233 with standard double glazing and with the provision of boundary fencing between Norman Terrace and the A19 external levels should comply with the World Health Organisation guidance for outdoor noise exposure. It is noted that the boundary screening to mitigate noise for the A19 will consist of close boarded fencing which is not considered satisfactory as gaps will appear between the fencing panels over time affecting the performance of the fence. The acoustic fencing for the gardens adjacent to the A19 will require overlapped or double boarded fencing to ensure the long-term integrity of the screening.

1.16 Therefore, if planning consent is to be given I would recommend the following conditions:

- HOU04

- Piling activities, if require, shall be carried out between 10:00 and 14:00 hours Monday to Saturday, with no piling permitted on Sundays or Bank Holidays.

- SIT03

- Boundary screening, consisting of double boarded fencing, must be fitted to all gardens adjacent to the A19 to mitigate noise levels from the A19 and comply with the World Health guidance levels for outdoor areas.

1.17 Planning Policy (Design)

1.18 Following my original comments below the concerns have been discussed with the applicant and a number of amended plans have been received. These address some of the issues previously raised, however concerns remain about the arrangement of some units and the impact this has on the design quality of the scheme. Throughout the development there is a mixture of 2 storey and 2.5 storey units. The arrangement of these units has not considered the street scene which will result in their being consistent changes in roof pitches that will be highly visible. Some changes have been made to units 2 and 3, however units 32 – 37 remain unchanged. It was discussed in a meeting on 29th January, about relocating these units to a different part of the site. There are also still concerns about the associated parking with these units which have a line of 12 parking

spaces that will negatively affect the street scene. These concerns are referred to the Case Officer to consider as part of the overall application.

1.19 Original comments:

1.20 The site contains a large number of well-established trees which are concentrated to the edges of the site and act as a visual buffer. Of particular prominence is the group of trees that front Norman Terrace which are an attractive feature of the local area. These trees are retained as part of the layout. The layout also includes some street trees and hedges which will contribute towards the public realm. Corner turner units are used which will further enhance the street scene. There are two pedestrian and cycle links which connect the site to the wider area. Despite these positive aspects of the scheme there are some concerns.

1.21 There is a concern that the architectural design approach for some units is not visually attractive as a result of good architecture. This is a requirement of NPPF and Local Planning Policy. The Epping house type requires larger windows on the front elevation. There is also a query if this house type has 2 or 3 bedrooms. The Dalby house type also requires a review of the size and pattern of windows, particularly on the first floor front elevation.

1.22 Throughout the development there is a mixture of 2 storey and 2.5 storey units. There are concerns about consistent changes in roof pitches and how this will appear in the street scene.

1.23 The Design and Access Statement identifies two character areas for the site. Whilst subtle changes are welcomed within different areas there should be a consistent colour for all window frames. The images in the Design and Access Statement show a mixture of grey and white frames.

1.24 A fencing and wall schedule has been submitted; however indicative drawings are required for each type of boundary treatment.

1.25 No surface materials have been indicated. This can be conditioned but it should be noted that visitor car parking should be enhanced in a suitable adoptable material, such as block paving, to improve the street scene.

1.26 There are several areas where there are large concentrations of parking bays to the front of properties which would have an adverse effect on the street scene. Parking should be supported by soft landscaping. There are currently inaccuracies between the on-plot landscaping on the site layout and landscape plan.

1.27 The site has a substantial level change and cross sections should be submitted to show how the design and layout responds to this.

1.28 Suitable locations for the store of refuse should also be indicated on the layout plan. Storage of waste bins to the rear of properties is preferable. Where waste storage areas are unavoidably located to the front of a property, they should be located in purpose-built accommodation, to ensure that bins do not undermine the visual quality of the development.

1.29 Overall, there are concerns about some aspects of the application and further information and revisions are required in order for the application to be supported.

1.30 Public Rights of Way Officer

1.31 Resulting from our joint 'Teams' meeting with the developer and planning colleagues where we discussed the layout of the proposed site - I can confirm that I concur with the Police recommendations that the proposed links within the site to the surrounding land parcels (north and east) are, on balance, unnecessary and can be discounted.

1.32 Biodiversity Officer and Landscape Architect

1.33 A revised layout plan has been submitted 'Architectural Layout' Revision 'I' which shows the removal of a footpath connection to the north of the site with the wagonway. A revised AIA and AMS has been submitted by Elliot Consultancy (August 2020). In addition, an Ecological Impact Assessment (EclA) and Breeding Bird Survey have also been submitted by OS Ecology.

1.34 Previous comments raised a number of concerns relating to:

- Loss of trees due to the proposed layout and SuDS connection
- Construction within close proximity to trees.
- Location of proposed boundary features within root protection areas.
- Damage to trees within site during demolition and construction.
- Damage to structures from trees.
- Insufficient ecological information

1.35 In addition to this, there were concerns relating to

- Public open space
- Shading
- Level changes
- Lighting

1.36 The applicant has made some revisions to the design layout (HG/A/GA/001 rev J) which are:

- Relocation of the pipe from the suds resulting in the loss of fewer trees
- Omission of the footpath/cycle link to the northern boundary of the site
- Omission of the footpath/cycle link to the eastern boundary of the site

1.37 The revised layout plan design includes relocating the connecting pipe from the Sud's area to a location which extends over a shorter distance. This will require the removal of six trees T44(B), T45(B), T46(B), T48(B), T49(B) & T57(B) to achieve the excavations for the pipe installation and to achieve the easement of 3m required by Northumbrian Water. This number is less than previous but all six trees are category B. The AMS states that this route was chosen following additional survey work to determine the route which would present the least impact to trees, however, the trees at this location are mature and of a reasonable height and their loss will be visually significant. (Four of these trees have been given a subcategory of 2; i.e. providing mainly landscape qualities). To meet the requirements of the Local Plan policy DM5.7, and as previously stated, it would be beneficial to retain these trees and consideration should be

given to alternative methods of installing the connection (trenchless techniques for example) to minimise impact and severing woodland. No information relating to this has been provided and trees should not be removed if alternatives methods are available. Details can be provided on condition.

1.38 The re-orientation of plot numbers 14, 15 and 16 has resulted in Plot number 16 being located within the root protection area (RPA's) and canopy of large Poplar trees. Concerns were previously raised about the proximity of the properties in relation to the existing tree groups with regard to encroachments within the RPA and perceived dominance. To alleviate these concerns, the revised AIA now identifies 6no existing trees (T8, T9, T11, T13, T14 and T18) to be removed.

1.39 The layout also requires trees within the southern and eastern section of Group 1 to be removed to create the new addition of visitor parking and Plot 83. The southern section of Group 2 will need to be removed to create the gardens of Plots 70, 78-81.

1.40 It has been discussed in previous comments that the development should be located at a sufficient distance from the tree group to avoid overhang rather than remove trees, but in this case the trees (Poplars) are already quite large they have the potential to become larger still and further dominate the immediate area. These trees were planted in order to screen what was previously an industrial site but now that the site has been identified for residential use it is felt the selective removal of five of the Poplars and one Alder from the total number of trees to be retained would be acceptable.

1.41 In terms of mitigation, 2 larger areas of replanting have been proposed with a smaller area to the west. This should be an opportunity to improve the quality of the existing tree group with additional planting and is sufficient to balance out the loss, however details will need to be carefully considered.

1.42 The removal of footpaths to the northern and eastern boundaries of the site will retain existing trees and scrub in those locations and protect boundary planting, which is a welcome improvement to the scheme. The Indicative Landscape Plan includes new areas of native tree and scrub planting, hedges and wildflower grassland, which on balance will provide adequate mitigation for the loss of habitats associated with the scheme. A detailed Landscape Plan will need to be conditioned.

1.43 Additional information submitted by the applicant confirms that Tree No.2 (identified within the AIA) has been identified for crown lifting but not removal. This tree was originally identified by the ecological consultant as a potential risk of supporting bats and will require a checking survey to be undertaken (risk assessment) and any additional survey work that is recommended, prior to works being undertaken to the tree. The scheme also has the potential to impact bat foraging and commuting routes around the boundaries of the site, therefore, a lighting plan will need to be conditioned for approval to ensure light spill into adjacent woodland and scrub areas is minimised.

1.44 The scheme will also result in an increase in residential units in North Tyneside that may impact coastal designated sites due to an increase in recreational disturbance. It is, therefore, recommended that an appropriate financial contribution is secured towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD, to mitigate these recreational impacts. This contribution should be agreed with the LPA prior to the determination of the application.

1.45 Unfortunately, the scheme offers little by way of amenity public open space within the development itself. This puts pressure on the surrounding landscaped areas set aside for biodiversity which should be protected from damage and disturbance from the public. However, on balance the development seeks to retain the main tree groups and ensures the protection of the existing landscape features and provides the required mitigation that meets the Local plan policies. To ensure the scheme is successful in terms of landscape and biodiversity the following conditions are to be applied:

1.46 Conditions:

- Trees T44, T45, T46, T48, T49 and T57 are to be retained. 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
- A revised Arboricultural Method Statement and Tree Protection Plan is to be submitted to include the retention of T44, T45, T46, T48, T49 and T57 and methods for the installation of the pipework to the SuD's area (trenchless techniques for example) in order to retain the trees. Thereafter, the development hereby permitted shall only be carried out in accordance with the revised Arboricultural Method Statement, Tree Protection Plan, BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations', and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees')
- Prior to the commencement of any site clearance works (including demolition works, tree works, soil moving, hardstandings, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), tree protection is to be installed. The tree protection fence is to be of a type and height as described in the AMS and TPP. The area surrounding each tree group within the approved protective fencing shall be protected for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. Photographic evidence is to be submitted on completion of the installation of the tree protective fence.

- No changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority.
- A plan indicating the positions, design, materials and type of any new or altered boundary treatments shall be submitted to and approved by the Local Planning Authority within one month of work starting on site. All works where they impact on retained trees are to be carried out by hand and in accordance with BS 5837:2012 and AMS.
- Any pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works, detail of which are to be submitted for approval.
- 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 as 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 to be shown on a plan and not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.
- An arboricultural consultant is to be appointed by the developer to advise on the tree management for the site and to undertake regular supervision visits to monitor and oversee the implementation of the works as set out in the revised AMS or to an approved schedule of monitoring. This condition may only be fully discharged on completion of the development subject to satisfactory written and photographic evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.
- 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 landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The tree shall be a minimum of 12-14 cm girth and planted 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. Should that tree, within a period of five years after planting, be removed, die or become seriously damaged or defective, it 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 ten 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.

- Prior to the occupation of any dwelling, all trees on the site shall be subject of a post-construction re-assessment of the trees that remain on the site, that includes species, locations, condition, and any immediate or expected future requirements, to be undertaken and submitted for approval.

- A Construction Environmental Management Plan (CEMP) will be submitted to the LPA for approval prior to works commencing on site. Thereafter, all construction works will be undertaken in accordance with the approved Plan.

- A detailed lighting plan will be submitted to the LPA for approval prior to works commencing on site to ensure any light spill to adjacent woodland and scrub habitat around the site boundaries is below 2 lux. The lighting details 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.

- A Bat Checking Survey of tree No. 2 (T2) as indicated on the AIA, will be undertaken prior to works commencing on site and the results submitted to the LPA for approval along with an appropriate Working Method Statement, if required.

- 5 no. bat roosting features will be incorporated into the building design proposals. Details of the roost feature specification and locations will 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

- 5 no. bat roosting features will be located on appropriate trees within or adjacent to the site. Details of the roost feature specification and locations will 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

- 10no. bird nest boxes will be incorporated into the building design proposals and located on appropriate trees within or adjacent trees to the site. Details of

nest box specification and locations will 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 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.
- Prior to commencement of works on site, a badger and red squirrel checking survey will be undertaken and the results submitted to the LPA for approval.
- 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°.
- Provision of hedgehog gaps (13cmx13cm) will be provided within any new fencing associated with the scheme. Details to be submitted to the LPA for approval within 4 weeks of development commencing on site.

2.0 External Consultees

2.1 Tyne and Wear Archaeology Officer

2.2 I have no comments to make.

2.3 Natural England

2.4 Summary of Natural England's Advice

Internationally and nationally designated sites – no objection subject to appropriate mitigation

2.5 This development falls within the 'zone of influence' for coastal sites designated at a national and international level as Sites of Special Scientific Interest and Special Protection Areas/ Special Areas of Conservation/ Ramsar sites. Since this application will result in a net increase in residential accommodation, impacts to the designated sites may result from increased recreational disturbance.

2.6 Northumberland and North Tyneside Councils operate a Coastal Mitigation Service to mitigate for potential impacts from increased recreational disturbance resulting from increased residential development and tourism activities within this zone.

Subject to appropriate mitigation being secured in line with the details of this Service, Natural England is satisfied there will be no damage or disturbance to the interest features of these sites.

2.7 Although your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

2.8 This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

2.9 Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

2.10 Natural England's advice on other natural environment issues is set out below.

2.11 Sites of Special Scientific Interest Impact Risk Zones

2.12 The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

2.13 Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

2.14 Nexus

1. As set out in the information supplied, the site is accessible by Metro about 600 metres away up Howdon Lane. The site therefore meets the requirements of the Nexus Planning Liaison Policy in this respect.

2. As stated in the Travel Plan, the proposed development is also served by bus service 11. This is currently operating every two hours on an emergency timetable and not as stated. Although it is not known if/when former frequencies will be restored, until further notice Nexus will assess planning applications on the basis of pre-pandemic timetables applying in February 2020. On this basis the application is deemed as also accessible by bus.

3. As the development consists of more than 50 residential units, Nexus requests that the applicant meets the costs of two introductory tickets per dwelling to the equivalent of four weeks' travel per ticket, as set out in the Nexus Planning Liaison Policy, to encourage the use of public transport from first occupation. These tickets should be offered to residents as part of the Welcome Pack, with the onus on residents to apply for these through the necessary process. The

tickets required are two Pop Pay As You Go cards per dwelling with J50 of credit preloaded onto each of them.

2.15 Northumbrian Water

2.16 A Pre-Planning Enquiry request was received by Northumbrian Water from the applicant for allowable discharge rates and connection points into the public sewer for the proposed development on 20th February 2019. I note that our response to this enquiry has not been submitted with the planning application. The planning portal shows that a Flood Risk Assessment dating back to 2008 and which formed part of the outline application has been resubmitted with this current application.

2.17 In our Pre-Planning Enquiry response we state that foul flows can discharge without restriction to manhole 6506 and that surface water flows can discharge at 100l/s or less to manhole 7401 if the preference of hierarchy for surface water disposal cannot be met.

2.18 Because the applicant has not submitted an updated drainage scheme with the application, Northumbrian Water requests 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.

2.19 Northumbria Police

2.20 National Planning Practice Guidance Note 7.5 reiterates that designing out crime and designing in community safety should be central to planning and delivery of new development. Specifically the NPPG on design reminds practitioners that local authorities are duty bound to adhere to Section 17 of the Crime and Disorder Act 1998 and exercise their functions with due regard to the likely effect on crime and disorder and do all that they reasonably can to prevent crime and disorder.

2.21 The proposed development in general offers a good layout, with back to back gardens where possible, the majority of properties have 'active frontages' with windows and doors and at least one habitable room facing onto the street and windows in the side elevations.

2.22 There is concern however, as per the site plan and as mentioned in the Design and Access Statement, that the development offer both cycle and pedestrian links to the existing surrounding cycle network on its northern and eastern boundary. Whilst it is accepted that through routes and footpaths should be included in developments, the designer must also ensure that the security of the development is not compromised by excessive permeability, by providing too many unnecessary footpaths. The footpaths in this case are in effect making the

development a 'leaky cul-de-sac' and can create opportunities for crime and escape routes for criminals.

2.23 In Howdon and Willington Quay, the local Neighbourhood Policing Team has numerous issues with anti-social behaviour involving youths and motorcycle disorder. Since 2019, 67 incidents of ASB and anti-social motorcycle disorder have been reported in Howdon Park, Howdon Green and Norman Terrace.

2.24 If the layout was to proceed to include footpaths, concerns are that the ASB in the area will encroach into the development, resulting in more calls to the Police reporting ASB. It is also felt that anyone committing ASB in or around the existing cycle path, will use the footpaths as an escape route from Police, resulting in further ASB, disorder and potential damage occurring. Consideration should be given to reviewing these footpaths with a view to them being removed from the development.

2.25 However, if this is not deemed possible, the footpaths should be at least 3m wide to allow people to pass without infringing on personal space and to accommodate passing wheelchairs, prams and mobility vehicles. The footpath should also be lit in accordance with BS 5489-1:2013.

2.26 There are also concerns around pedestrian/cycle safety, especially around plots 47-52 (more acute in plots 49-50) and vehicle access to driveways. As there is no physical boundary between plots and the footpath this could lead to road traffic collisions between homeowners and those using the footpath. A larger margin of safety would be preferred on this section and clearer definition of private and public space, consideration should be given to installing a fence along the boundary of the footpath, such as black estate railings or knee rail.

2.27 Boundary treatment – rear access to 'triple block' properties:
It is generally recommended that footpaths are not placed to the rear of properties, however if they are essential to give access to the rear gardens consideration should be given to lowering these fences to 1500mm and use a 300mm sacrificial topping such as trellis, this will make anyone using these footpaths more noticeable and should be used for every triple block alleyway giving access to a rear garden.

2.28 Cycle and refuse storage:
This is mentioned in the DAS and listed under the contents as Section 6.7, Cycle and Refuse Storage, however I am struggling to locate this information in the document as Section 6.7 details information on SUDs. Cycle and refuse bins should be stored to the rear of properties and appropriate locking facilities for cycles should be detailed.

2.29 Crib wall:
Due to level changes within the development, there is mention of a crib wall, it is not clear how this will be constructed or how it will appear. Main concerns would be that any retaining structure could be used as a climbing aid into the rear gardens, or the void area between the dwellings becomes a dumping ground for residents to throw rubbish over boundary fences.

2.30 Physical security of dwellings:

Sadly, there is no mention of physical security or security measures within the Design and Access Statement. We always recommend developers consider Secured By Design Accreditation, which is designed to prevent crime and reduce opportunities for crime to occur. In addition to the layout of the development the SBD also specifies what type of windows and doors to be used and covers other security measures.

2.31 Newcastle Airport

2.32 No comments to make.

3.0 Representations

3.1 No. Objections have been received. These are summarised below.

- Adverse effect on wildlife.
- Impact on landscape.
- Inadequate parking provision.
- Inappropriate design.
- Inappropriate materials.
- Loss of privacy.
- Loss of/damage to trees
- Nuisance – disturbance, dust/dirt, fumes, noise
- Poor traffic/pedestrian safety.
- Poor/unsuitable vehicular access.
- Traffic congestion.
- Will result in visual intrusion.
- Loss of privacy to properties on Norman Terrace.
- Will impact on the peaceful enjoyment of our home and garden, not to mention the buildings will be visually overbearing.
- It would be more environmentally friendly and less invasive to residents if planning were restricted to the current concrete footprint of the industrial site.
- All the properties currently in Willington Quay have no off-road parking therefore the streets are already congested.
- Overdevelopment leading to increased noise and traffic.
- Increase in dirt/dust and fumes.
- Proximity of houses to trees.
- Loss of trees and pressure for future pruning.
- Loss of trees contradicts the climate change policies North Tyneside have stated in their Climate Emergency Action Plan and the Government's Environmental Bill.
- Design not in keeping.
- Negative impact on George Street due to the current badly designed road system.
- The new residents will use George Street to access A187.
- Potential for increased traffic on Gladstone Terrace, George Street and Cumberland Street.
- George street residents have no front gardens and there is a higher risk of an accident.

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Application No: 20/02057/FULH Author: Kimberley Harwood
Date valid: 30 November 2020 ☎: 0191 643 6331
Target decision date: 25 January 2021 Ward: Benton

Application type: Householder Full application

Location: 6 Eastfield Terrace, Benton, NEWCASTLE UPON TYNE, NE12 8BA,

Proposal: Two storey extension to the east of the property and single storey extension to the south (Revised Plans 12.02.2021)

Applicant: Modo Bloc, Mr George Jenkins 1 Starbeck Avenue Newcastle Upon Tyne NE2 1RH

Agent: Miller Partnership Architects Ltd, Ms Jane Miller 101 Ouseburn Road Newcastle Upon Tyne NE6 5AF

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

INFORMATION

1.0 The main planning considerations for Members to consider are:

- The impact of the proposed development upon residential amenity;
- The impact of the proposed development upon the character and appearance of the conservation area;
- Any other issues.

2.0 Description of the Site

2.1 The site to which the application relates is a west facing two storey semi-detached property in the ward of Benton Conservation Area. No.5 Eastfield Terrace is situated to the north of the development site and No.1 Tynedale Terrace is to the south. To the rear (north east) of the host property is Eastfield Lodge and to the front (west) of the site is No.2 Eastfield Road.

3.0 Description of the Proposed Development

The proposal is for a two storey extension with a pitched roof to the east of the property and a single storey extension with a flat roof to the south.

4.0 Relevant Planning History

None relevant.

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

5.2 Longbenton and Benton Conservation Area Character Appraisal (October 2007)

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

5.1 NPPF

The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

6.0 North Tyneside Local Plan (2017)

6.1 Policy S1.4 states that proposed developments will be considered favourably where the application is in line with strategic, development management or area specific policies of this Plan. In addition, the development should be acceptable in terms of its impact on local amenity for existing residents and adjoining properties and making the most effective and efficient use of available land.

6.2 DM6.1 Design of Development

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 the characteristics of the site, its wider context and the surrounding area. Proposals are expected to demonstrate:

- a. A design responsive to landscape features, topography, wildlife habitats, site orientation and existing buildings, incorporating where appropriate the provision of public art;
- b. A positive relationship to neighbouring buildings and spaces;
- c. A safe environment that reduces opportunities for crime and antisocial behaviour;
- d. A coherent, legible and appropriately managed public realm that encourages accessibility by walking, cycling and public transport;
- e. Sufficient car parking that is well integrated into the layout; and,
- f. A good standard of amenity for existing and future residents and users of buildings and spaces.

6.3 Policy DM6.2 Extending Existing Buildings

Extensions should complement the form and character of the original building. This can be achieved from the continuation of the existing design form or through appropriate contrasting, high quality design. "The scale, height and mass of an

extension and its position should emphasise a subservience to the main building. This will involve a lower roof and eaves height, significantly smaller footprint, span and length of elevations.

When assessing applications for extending buildings the Council will consider:

- a. Whether or not the property is affected by any designations or considered to be a heritage asset or within the setting of a heritage asset;
- b. The location of the extension in relation to the street scene;
- c. Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy;
- d. The cumulative impact if the building has been previously extended;
- e. The effect that the extension will have on the existing property and whether it enhances the overall design; and
- f. The form, scale and layout of existing built structures near the site.

Policy DM6.2 goes on to state that for extending buildings the council will take into account: “The location of the extension in relation to the street scene”, “Implications for amenity on adjacent properties and land such as outlook, loss of light or privacy”, “the cumulative impact if the building has been previously extended”, whether the extension will enhance the overall design of the existing property and its general impact on the property and “the form, scale and layout of existing built structures near the site.”

6.4 S6.5 Heritage Assets

North Tyneside Council aims to pro-actively preserve, promote and enhance its heritage assets, and will do so by:

- a. Respecting the significance of assets.
- b. Maximising opportunities to sustain and enhance the significance of heritage assets and their settings.
- c. Targeting for improvements those heritage assets identified as at risk or vulnerable to risk.
- d. Seeking and encouraging opportunities for heritage-led regeneration, including public realm schemes.
- e. Supporting appropriate interpretation and promotion of the heritage assets.
- f. Adding to and keeping up-to-date the Borough's heritage asset evidence base and guidance. Examples include conservation area character appraisals, conservation area boundary reviews, conservation area management strategies, conservation statements/plans, registers of listed and locally registered buildings, the historic environment record and buildings at risk registers.
- g. Using the evidence it has gathered, implement the available tools to conserve heritage assets, such as Article 4 Directions and Building Preservation Notices.

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

- a. Conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character;
- b. Repair damaged features or reinstate missing features and architectural detailing that contribute to the heritage asset's significance;

- c. Conserve and enhance the spaces between and around buildings including gardens, boundaries, driveways and footpaths;
- d. Remove additions or modifications that are considered harmful to the significance of the heritage asset;
- e. Ensure that additions to heritage assets and within its setting do not harm the significance of the heritage asset;
- f. Demonstrate how heritage assets at risk (national or local) will be brought into repair and, where vacant, re-use, and include phasing information to ensure that works are commenced in a timely manner to ensure there is a halt to the decline;
- g. Be prepared in line with the information set out in the relevant piece(s) of evidence and guidance prepared by North Tyneside Council;
- h. Be accompanied by a heritage statement that informs proposals through understanding the asset, fully assessing the proposed affects of the development and influencing proposals accordingly.

Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment, and cannot be met in any other way.

Heritage assets that are to be affected by development will require recording (including archaeological recording where relevant) before development commences. Any heritage reports prepared as part of a development scheme will be submitted for inclusion on the Tyne and Wear Historic Environment Record (HER) and published where considered appropriate.

7.0 Supplementary Planning Documents

7.1 Design Quality SPD

The Council's Design Quality SPD (May 2018) is a material planning consideration that applies to all planning applications involving building works. It states that extensions should offer a high-quality design that will sustain, enhance and preserve the quality of the built and natural environment. This can be achieved through continuation of existing form or appropriate contrasting and high-quality design.

7.2 The Design Quality SPD 'Side Extensions' states:

As an alteration affecting the front of a dwelling, it is important that the width of a side extension remains subordinate to the original house. It should also reflect the characteristics of the surrounding area, such as the continuation of a recessed first floor, and designed to ensure the dwelling remains balanced in the street scene. Particular care should be given to properties on a corner plot as it must respond appropriately to more than one frontage.

These extensions can be further improved by setting back the front elevation from the existing building line and two storey extensions using a lower ridge height. This can help prevent loss of character where the spaces between buildings can be completely closed up, especially when two adjacent owners carry out side extensions. This is often referred to as 'terracing'.

Within conservation areas, side extensions should be carefully designed to ensure there is not an adverse impact on its character and appearance. Character can be derived from the roofscape and the spaces between

semidetached or closely spaced detached properties. As such 'terracing' and the conversion of hipped roofs to a gable end will not be supported.

Support will be given to the conversion of flat roofed extensions to a pitched roof design that takes into account the character of the surrounding area.

7.3 The Design Quality SPD 'Two Storey Rear Extensions' states:

Due to the impact on neighbouring properties that can arise from two storey rear extensions, they should be small in scale and set in from the side boundaries. The design should appear visually subservient and include lower eaves and ridge height. In general, they are not acceptable on mid-terrace and semi-detached properties where the adjoining houses have habitable rooms close to the shared boundary.

Privacy distances of 21 metres, where properties face back to back, and 12 metres, back to gable, are advisable; however, consideration will also be given to the extent of overlooking and dominance that would arise from the development. Particular regard will be given to the impact on neighbours habitable windows and areas of rear gardens that are most sensitive. Generally, the most sensitive part of the garden is the area closest to the house.

To assist in reducing the impact, careful consideration should be given to the location of windows. Windows located on the side elevation will be discouraged so as not to have an adverse impact on privacy and overlooking. Where they are necessary, it is likely that they will be required to be obscure glazed.

7.4 Transport and Highways SPD

The Transport and Highways SPD provides details on the minimum parking dimensions on page 29.

8.0 Longbenton and Benton Conservation Areas Character Appraisal

Longbenton conservation area was designated in November 1985 and Benton conservation area was designated on 13 March 2007.

These conservation areas are in the west of the Borough of North Tyneside. The conservation areas are part of a wider suburban area around three miles northeast of Newcastle city centre, with varied housing and large green open spaces. Combined, there are around 760 dwellings in the conservation areas with a resident population of about 1200 (extrapolated from the 2001 Census), plus a small number of local services and businesses. The area is mostly in Benton ward, but a small part of the Benton conservation area is within Longbenton ward. The conservation areas are mainly part of Benton but merge northwards into Forest Hall, and locally the boundary between the two means different things to different people.

9.0 Planning Officer Comments

10.0 Main Issues

10.1 The main issues for Members to consider are:

- The impact on neighbouring amenity,
- The impact on the character and appearance of the surrounding conservation area.

11.0 Impact on Residential Amenity

11.1 The objections received regarding the impact of the proposed development on residential amenity, including loss of privacy and overlooking are noted.

11.2 There have been multiple objections raised against this application along with objections from all three Benton ward councillors, that have been taken into account to form a balanced recommendation.

11.3 No.5 Eastfield Terrace situated to the north of the development site will experience some impact, although it is officer advice that it will not be so significant as to warrant refusal. The extension at ground floor level will create minimal adverse impact due to it being situated away from the shared boundary line with No.5, it being of only one storey and having a flat roof. The two-storey extension will also cause little impact. The extension will be situated away from the shared boundary line means there will be little loss of outlook to No.5. As per the most recently revised plans the extension will be lower in height by approximately 1m than the existing property, creating less impact in terms of loss of light. The most recent plans also show a reduction in the length of the extension by approximately 2m and the light assessment shows minimal loss of light to the property and its garden. There will be little loss of privacy to No.5 due to there being no new windows at first floor level on the side flank elevation adjacent to the site, and the 2 new windows at ground floor level will be of a reasonable size and set away from the boundary line. The glazed line will be conditioned to be obscurely glazed at first floor level adjacent to No.5 to prevent further loss of privacy.

11.4 No.1 Tynedale Terrace to the south will experience minimal adverse impact from the proposed development. There will be a considerable distance between the properties, consisting of a public highway, meaning there will be minimal loss of outlook to the property. The single storey extension will have little impact due to it being of only one storey with a flat roof. The two-storey extension will also have a minimal impact, the height of the extension will be lower than the existing property and there will be no windows on the side flank elevation adjacent to No.1, creating no loss of privacy.

11.5 To the rear (north east) of the host property Eastfield Lodge will not experience an adverse impact. The properties are a considerable distance apart, the separation includes the back lane along the shared boundary of the site and Eastfield Lodge, causing minimal loss of outlook and privacy. Trees line the boundary line and the rear lane, obstructing views of the proposed development and minimising any loss of privacy. The proposed balcony has also been removed, which would reduce the impact to neighbouring occupiers. Due to the orientation of the properties and the direction in which the sun travels the proposed work to the host property will not cause a loss of light to Eastfield Lodge.

11.6 To the front (west) of the site No.2 Eastfield Road will not be adversely affected by the proposed development. This is due to the development taking place on the opposite side of the property to No.2. There will be no detrimental loss of light, outlook or privacy.

11.7 Members need to determine whether the proposed development is acceptable in terms of residential amenity of neighbouring properties. It is officer advice that it is and that the proposed development accords with Policy DM6.2.

12.0 Impact on Character and Appearance

12.1 It is officer advice that the two-storey extension will not adversely affect the character or appearance of the site or the surrounding conservation area. The extension will use materials that match the existing property, including the use of sandstone for the walls. This will be in keeping with the conservation area and will compliment the character and appearance of the host property. The height of the extension will be lower than the existing property by approximately a metre, creating a subservient feature. The roofing will match the existing property. The extension will be set away from the boundary lines and on the revised plans the extension was shortened by approximately 2m in length, removing the balcony area, and creating a more subordinate extension.

12.2 The single storey extension will be of a reasonable size, situated to the south of the property projecting past the rear external wall and out to the southern boundary line. The extension will be of only one storey, with a flat roof and will be made of sandstone, in keeping with the materials used on the host property and others in the surrounding conservation area. As the extension is to the rear of the property there will be little impact to the streetscene. The property is located on a corner plot, its boundary line bordering Eastfield Terrace and Tynedale Terrace. The southern elevation will see the side of the single storey extension, with no windows and the use of sandstone there will be little change in the character of the property in the streetscene. The erection of the extension means the building line will be closer to the southern boundary line, set further forwards onto Tynedale Terrace, there are other examples of a properties with an outbuildings/garages, which will be in line with the proposed extension to the east, that sit flush against the road, therefore there will be little impact to the appearance of the streetscene. These examples are Eastfield Lodge, No.1 West Avenue and No.1 The Grove.

12.4 Members need to determine whether the proposed development is acceptable in terms of its design and its impact upon the character and appearance of this part of the conservation area. It is officer advice that the proposed development accords with policies DM6.1 and DM6.6.

13.0 Other Issues

13.1 It is noted that the application is in a Contaminated Land Buffer area. As such, it is considered necessary to attach an informative to the grant of approval to ensure that the applicant is suitably notified.

13.2 Parking Provision

The plans for the proposed development show two car parking spaces in the rear garden of the property, accessed from the rear lane of the property, which is considered to be sufficient.

13.2 Impact on Trees

The objections received regarding the impact on trees are noted. The application requires the removal of one tree (T1). The other trees T2 and T3 are situated

outside of the application site and are shown to be retained. T1's removal will have little impact on the streetscene. It is a semi-mature tree in a poor condition. If Members are minded to approve the application a condition is recommended to require the planting of a replacement tree.

14.0 Local Financial Considerations

14.1 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 due to there being no new properties created. There may be short term implications as employment will be provided during the building process.

15.0 Conclusion

15.2 In conclusion, members need to consider whether the proposed development is acceptable in terms of its impact on residential amenity and its impact on the character and appearance of the conservation area.

15.2 On balance, and with regard to all of the above, it is in the opinion of officers that it is recommended that planning permission should be granted subject to conditions as the application is acceptable in relation to relevant supporting documents.

RECOMMENDATION: Application Permitted

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, 6 Eastfield Terrace, 30.11.2020
 - Existing and Proposed Roof Plans, Drawing No. E4.P4 Rev B, Scale 1:100, November 2020
 - Existing Elevations, Drawing No.E3, Scale 1:100, November 2020
 - Existing Plans, Drawing No. E2, Scale 1:100, November 2020
 - Existing Site Plan, Drawing No.E1, Scale 1:200, November 2020
 - Proposed Floor Plans, Drawing No.P2, Rev C, Scale 1:100, November 2020
 - Proposed Elevations, Drawing No.P3, Rev C, Scale 1:100, November 2020
 - Location Plan, Drawing No.SLP01, Scale 1:250, October 2020
 - Tree Survey, Drawing No.883-01, Scale 1:100, 03.02.2021Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Notwithstanding the approved plans, the two-storey extension hereby approved shall not be first occupied until the glazed link at first floor level on the northern elevation has been glazed in obscure glass to a Level 3 or above to a minimum height of 1.7 metres above finished floor level, and be fixed shut

(without any opening mechanism). The windows(s)/glazed link shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

3. Materials External Surfaces to Match MAT001 *

4. No (further) windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without prior, express planning permission of the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

5. Notwithstanding the approved plans, the two-storey extension hereby approved shall not be first occupied until the glazed link at first floor level on the northern elevation has been glazed in obscure glass to a Level 3 or above to a minimum height of 1.7 metres above finished floor level, and be fixed shut (without any opening mechanism). The windows(s)/glazed link shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

6. Prior to the extensions hereby permitted being first occupied details of a replacement tree including its species and location shall be submitted to and improved in writing by the Local Planning Authority. Thereafter, the tree shall be planted in the first available planting season. If the tree becomes diseased or dies within a period of five years following its planting, it shall be replaced with the same species in the same location as previously approved.

Reason: To secure replacement tree planting in accordance with policy DM5.9 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.

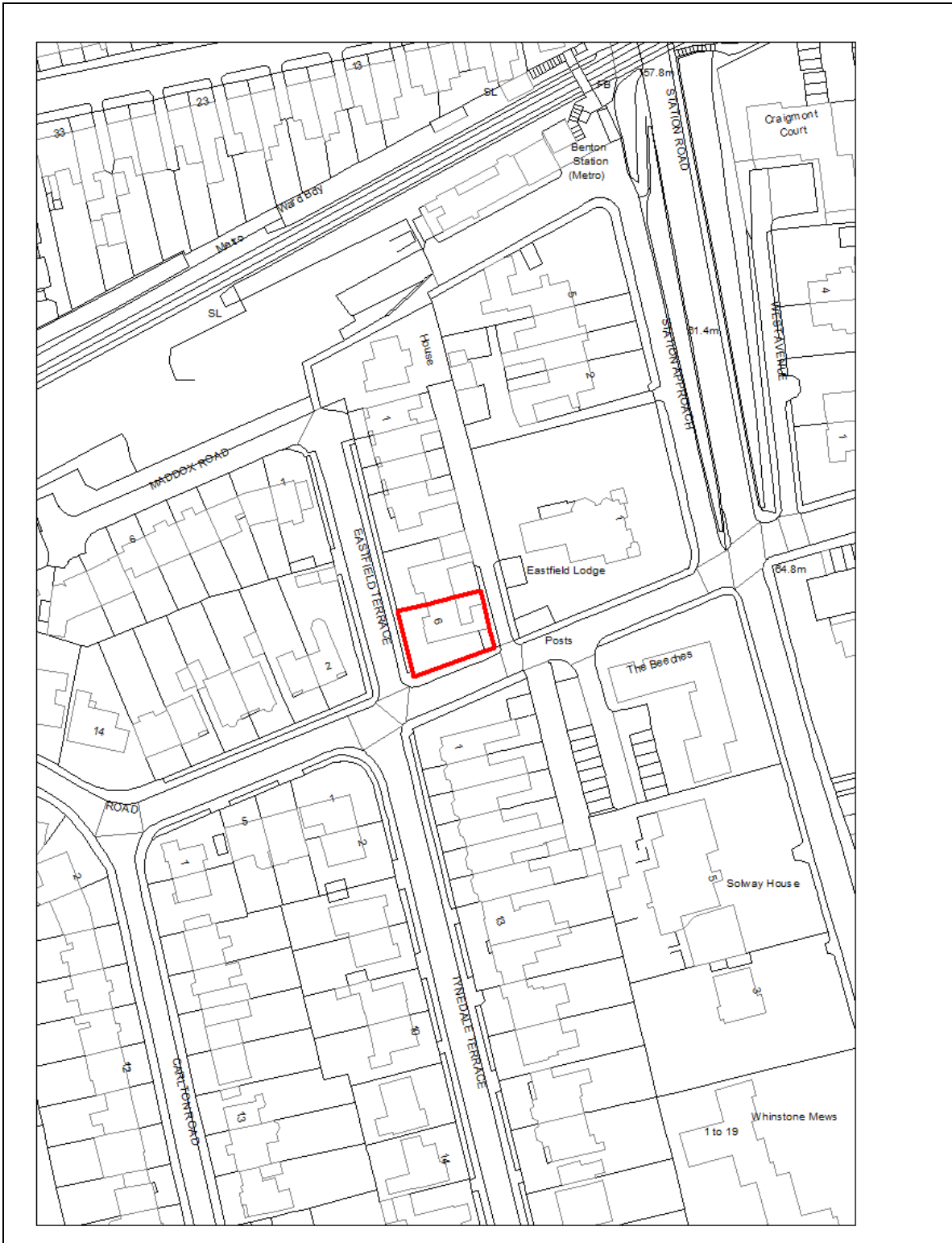
Informatives

Building Regulations Required (I03)

Do Not Obstruct Highway Build Materials (I13)

The proposed development lies within an area that falls within an area of contaminated land. You are advised that protection measures may need to be provided. Such measures could comprise the use of a gas membrane. If a gas

membrane is to be used it will need to be to the highest specification to mitigate against carbon dioxide and methane ingress, unless a site investigation is carried out which demonstrates that the highest specification is not required.



Application reference: 20/02057/FULH
Location: 6 Eastfield Terrace, Benton, NEWCASTLE UPON TYNE, NE12 8BA
Proposal: Two storey extension to the east of the property and single storey extension to the south (Revised Plans 12.02.2021)

Not to scale
 Date: 04.03.2021

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Appendix 1 – 20/02057/FULH

Item 6

Consultations/representations

Ward Councillors

1.1 The three Benton ward councillors have objected on the grounds of:

- Out of keeping for a conservation area where this pair of stone semis were two of the first houses in the area
- The two storey + single storey extensions will be over development of the small site
- The glass corridor between the master bedroom and the ensuite is inappropriate for the area and overlooks Eastfield Rd.
- The first floor balcony and double opening glazed windows are not in keeping with the rest of the street and will be visible from Eastfield Road
- The two sets of sliding doors to the ground floor of the property plus some to the first floor are proposed to be in UPVC - these will be totally out of keeping with the age of the house, other houses in Eastfield Terrace and for a conservation area. Additionally one of the upper windows to the first floor front of the building appears not have the vertical bars to match the others and again looks out of keeping for a conservation area and spoils the symmetry with the adjoining house.
- Removal of established trees and bushes in the back lane to provide a hardstanding for two cars. (Plus the width of the lane would make it difficult to access the hardstanding)

We recognise that the property requires updating but would wish it to be in keeping with the area both in style and size.

- The two storey extension will prevent light getting to the back garden of the adjoining house. For much of the day the sun to the south will be prevented from reaching the property by the extension.

1.2 Further objections were submitted after revised plans were submitted stating concerns over:

- Glass link still unacceptable – New windows are out of keeping with the area
- The development is nearly double the size of the original property
- There has been no revision to the sliding patio doors – they are not in keeping with the area
- Overdevelopment of a small site
- Vehicular access has not been altered
- Where will bin storage be?
- Sunlight assessment does not account for the trees to the back lane, all year round

Internal Consultees

2.1 Heritage Officer

2.2 The amendments are acceptable.

3.0 External Consultees

3.1 None received.

4.0 Representations

4.1 There has been 14 letters of objection received stating concerns over:

- Affect character of conservation area
- Inadequate parking provision
- Inappropriate design for the conservation area
- Loss of privacy
- Loss of visual amenity
- Loss of/damage to trees
- Out of keeping with surroundings
- Precedent will be set
- Will result in visual intrusion
- Use of unsympathetic materials
- Too large
- Cause of overshadowing to neighbouring properties
- Poor functionality of design
- Not in keeping with architectural features
- Removal of the garage will lead to people parking vehicles in the back lane
- Impact on landscaping
- None compliance with approved policy
- Ruin traditional aspects of the property
- The 2007 Benton Conservation Area
- Failure to meet section 7.4 'Development within Conservation Areas (DCPS 8)' lists planning criteria to be considered which includes " The impact of any new proposal on the loss of light, effect of overshadowing or loss of privacy to adjoining property".
- Use of extension as a 'business proposition'
- Adverse effect on wildlife
- Affect setting of listed building
- Affect the character of the conservation area
- Inappropriate materials
- Doesn't integrate well into the area
- Scheme will be sited close to the boundary wall

Supporting photographs have been received.

4.2 Comments made after the plans were amended:

- The changes do not address the issues of privacy and loss of light
- Conversion to an 'asymmetrical oddity'
- Spoiling features
- Not fitting in a late Victorian/Edwardian suburban setting
- Two storey "glass link" will create privacy and overlooking issues
- No mention of how the boundary wall will be formed
- Natural light will be lost from neighbouring properties

4.3 After further plans were received we went on to receive 7 more objections from neighbouring occupiers stating concerns over:

- Impact on the nature and character of the rear lane
- Height will cause a loss of daylight to neighbouring properties
- Vehicular access is not possible – inadequate parking provision to the back lane
- Two storey extension is still visually obtrusive

- Precedent will be set
- Affect character of conservation area
- Impact on landscape
- Inappropriate design
- Loss of residential amenity
- Loss of visual amenity
- Out of keeping with surroundings
- Poor/unsuitable vehicular access
- Loss/damage to trees
- Adverse effect on wildlife
- Oppressive
- Inappropriate materials used
- Visually intrusive
- Glass link still unacceptable – New windows are out of keeping with the area