

**Item No:** 1  
**Application No:** 23/01265/FUL  
**Date valid:** 18 September 2023  
**Target decision date:** 13 November 2023  
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**Ward:** Monkseaton North

Application type: full planning application

**Location: Land At, Newsteads Drive, Whitley Bay, Tyne And Wear**

**Proposal: Full planning application for the construction of a new medical centre with associated access and landscaping works on land to the east of Newsteads Drive, Whitley Bay, North Tyneside to replace the existing Beaumont Park Medical Centre at Hepscott Drive, Whitley Bay (Landscape Environmental Management Plan submitted 08.11.23)**

Applicant: Argon Property Development Solutions

Agent: DPP

**RECOMMENDATION:** Minded to grant legal agreement req.

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1.0 Main Issues

The main issues in this case are;

- The principle of the proposed development;
- The impact upon residential amenity;
- The impact on the character and appearance of the site and the surrounding area; and
- The impact on the highway.

1.2 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 application site is an area of open grassed amenity space within an established residential area of Monkseaton. It is located on the east side of Newsteads Drive, with three storey residential flats at Chathill Close located immediately adjacent to the north of the site. Further residential dwellings are located beyond the open space to the east on Meadowfield Drive, and to the south and southeast on Fairways. On the opposite side of Newsteads Drive to the west/southwest is the Sainsburys supermarket and petrol station.

2.2 The site consists of mowed grass, trees and shrubbery. The application site area is approximately 1,504 sqm.

### 3.0 Description of the Proposed Development

3.1 Planning permission is sought for the construction of a new medical centre with associated access, parking and landscaping works.

### 4.0 Relevant Planning History

90/01755/LAREG3 - Laying of paths, erection of lampposts, pillars, bollards and fences and planting works to create a park – Approved 15.11.1990

95/01651/LAREG3 - Public open space - new footpaths and landscaping. Construction of a new access to a highway. – Approved 05.02.1996

### 5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

### 5.2 Government Policies

5.3 National Planning Policy Framework (NPPF) (September 2023)

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

5.5 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 Local Planning Authorities (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 Main Issues

6.1 The main issues in this case are;

- The principle of the proposed development;
- The impact on the character and appearance of the site and the surrounding area;
- The impact upon residential amenity;
- The impact on the highway; and
- The impact on biodiversity.

### 7.0 Principle

7.1 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the Local Plan predate the publication of the revised NPPF. However, it is clear from paragraph 219 of the NPPF that “... *existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to*

*their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

The Council considers that the Local Plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

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

7.3 Paragraph 93 of NPPF encourages planning policies and decisions to 'plan positively for the provision and use of shared spaces, community facilities...and other local services to enhance the sustainability of communities and residential environments" and to "take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community'. Paragraph 93 also encourages planning policies and decisions to 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'.

7.4 Paragraph 98 of NPPF states that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.

7.5 Paragraph 99 of NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) 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
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

7.6 Strategic Policy S1.2 states that the wellbeing and health of communities will be maintained and improved by:

- a. working in partnership with the health authorities to improve the health and well-being of North Tyneside's residents.
- b. requiring development to contribute to creating an age friendly. healthy and equitable living environment through....
- (iv) providing good access for all to health and social care facilities'

7.7 Strategic 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 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.

7.8 Policy DM1.3 of the Local Plan 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.

7.9 Policy DM5.2 states that the 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 another green space type; or,
- d. The proposed development would be ancillary to use of the green infrastructure and the benefits to green infrastructure would outweigh any loss of open space.

7.10 Where development proposals are considered to meet the exceptional circumstances above, 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.

7.11 Policy DM5.3 states that 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.

7.12 Policy S7.10 states that the Council will ensure that local provision and resources for cultural and community activities are accessible to the neighbourhoods that they serve. In order to achieve this:

- a. Priority will be given to the provision of facilities that contribute towards sustainable communities, in particular, catering for the needs of the growing population around key housing sites;
- b. Access to education and healthcare provision will be maintained and, where necessary, improved throughout the Borough;
- c. Existing provision will be enhanced, and multi-purpose use encouraged, providing a range of services and resources for the community, at one accessible location;
- d. Opportunities to widen the cultural, sport and recreation offer will be supported; and,
- e. The quantity and quality of open space, sport and recreation provision throughout the Borough will be maintained and enhanced.

7.13 The application site consists of an area of designated open space, within a wildlife corridor (Local Plan) and it is identified in the Council's Green Space Strategy as an 'amenity greenspace', with unlimited access by the public, which is of high value and quality. The purpose of amenity greenspace is to provide opportunities for informal activities close to home or work or enhancement of the appearance of residential and other areas.

7.14 A significant number of objections have been submitted with regard to the loss of the open space and its function, with many objectors stating that there are better locations for such a development and that these have not been properly considered. These objections are noted.

7.15 The applicant has advised that the existing premises on Hepscott Drive are 70% undersized and are no longer fit for purpose, in line with current NHS design or space standards and that they are prohibitive to service delivery to the patients. Options to expand or reconfigure the existing premises have been considered, but this has proven to be unviable and would still not provide the space required. A new modern fit-for-purpose medical centre is urgently required to meet the evolving needs of the community within the catchment area.

7.16 An Open Space Assessment has been submitted, which contains a sequential assessment of alternative locations within one mile of the existing premises on Hepscott Drive. This search radius was chosen to ensure that there would be no encroachment on other medical centre patient catchment boundaries. Alternative sites were considered based on three indicators; availability, suitability and viability, along with the requirement for a minimum site area of circa 1,500sqm to accommodate the new building and car park. The assessment concluded that all of the alternative sites were either unsuitable, unavailable or both.

7.17 The applicant has acknowledged that the open space within the application site (and the adjoining open space) has value to the community in terms of access and function as amenity open space, and that there are some conflicts with the criteria set out in policy DM5.2, particularly (a). However, they have pointed out that the application site itself relates to approximately 16% of the overall open space and that the remaining green space will be unaffected by the development in relation to quality and value. The landscaping scheme seeks to create a boundary to the remainder of the open space in order to ensure that its accessibility and function as open space is maintained and enhanced and that all existing footpaths across the site are to be retained to minimise disruption to users of the open space.

7.18 The applicant has also noted that whilst the application site is located within a Wildlife Corridor, it is not a designated wildlife site. The Council's Green Space Strategy 2015 (GSS) states that Wildlife Corridors are intended to help conserve biodiversity where patches of semi-natural habitat have become fragmented and isolated within intensively used landscapes. The proposal will result in the loss of a small area of this corridor. However, the supporting ecological impact assessment confirms that ecological enhancements will be delivered within and outside of the site. The Biodiversity Officer has provided details comments on this and it is referred to in Section 11 of this report.

7.19 The applicant has also noted that the GSS states that all properties should be within 300 metres of at least 0.1ha of accessible, free and usable green space. 93.7% of properties within the Monkseaton North ward are within 300 metres of accessible green space. This indicates that there is a -6.3% under supply in the ward. However, there are a number of accessible green spaces within walking distance of the application site, and the applicant considers that as 84% of the accessible open space in this location will remain, this will not significantly alter the number of properties within 300m of at least 0.1ha of accessible green space.

7.20 The applicant has also highlighted the significant public benefits of the proposed development, with the principal benefit being delivery of essential public health infrastructure to meet a currently unmet need. They consider that this weighs heavily in the planning balance to outweigh the loss of a small portion of this open space allocation at Newsteads Drive.

7.21 Concerns have been raised by local residents that approval of the proposed development will set a precedent and lead to further development of the open space in this location. However, the wider site will remain as designated open space, within the ownership and control of the Council. The applicant has advised that they have no plans for future extension of the building/site. Nevertheless, such a proposal would require planning permission and would be subject to public consultation. The granting of planning permission in the current application would not set a precedent as all planning applications must be considered on their individual merits.

7.22 It is considered that the sequential assessment contained within the applicant's Open Space Assessment has provided a thorough and detailed assessment of alternative sites within 1m of the current premises, and that it clearly demonstrates that there are no available, suitable or viable alternative sites.

7.23 The applicant has submitted proposals for the enhancement of the remainder of the open space, which will not detrimentally affect its existing function as amenity space. It is considered that although the proposed development will result in a small reduction in the amount of available open space, which is contrary to Policy DM5.3, it will provide significant enhancements of the remainder of the open space, resulting in better quality open space and increased habitat (resulting in a biodiversity net gain).

7.24 it is also acknowledged that the proposed development does not accord with policy DM5.2 (and NPPF 99), which requires alternative provision to be, "equivalent to or better than in terms of its quantity and quality", as no additional quantity is to be provided. However, it is considered that the provision of biodiversity habitat and landscaping within the application site and the significant enhancement of the remainder of the open space, will provide open space of an improved quality, albeit of a slightly lesser quantity. It is therefore considered that the applicant is providing satisfactory mitigation to the community for the value of the current open space, which will be lost as a result of the proposed development. In addition, whilst it cannot be argued that DM5.2(a) applies (that

the site no longer has any value to the community in terms of access and function), it is considered that the exception set out in DM5.2(b) (that the site is not a designated wildlife site or providing important biodiversity value), does apply. The biodiversity impacts are considered further in Section 11 of this report.

7.25 Weight must also be given to the public benefits of the proposed development. The NHS North East and North Cumbria Integrated Care Board (ICB), which are commissioners of primary care services across the region, have submitted detailed letters of support for the proposed development. They have advised that the new medical centre is essential in meeting both the current and future health and wellbeing needs of the local population. Construction of a new, purpose-built surgery will allow the practice to expand its current service offer and better meet the needs of patients. The upgrades will allow Beaumont Park Medical Group to see patients more efficiently, provide a wider primary care offering and reduce pressure on acute services. The ICB recognises that there will be a loss of some of the open space currently on the site. However, they believe that the health and wellbeing benefits of a fit-for-purpose primary healthcare building will bring the community significantly more benefits. In particular, the proposed medical centre will provide:

- An inclusive, fully accessible building, providing care for all within a residential area and supporting access for those who most need health and wellbeing services.
- Retention and enhancement of primary care services.
- Increase in GP services to meet growing demand.
- Enhancement of wellbeing patients receive from the surgery.
- Continuation of easy access, due to proximity to existing surgery.
- Good public transport links.

7.26 The public benefits of the proposed development would be in accordance with the objectives of paragraph 93 of the NPPF and policy S7.10 of the Local Plan in terms of meeting the health needs of the community and guarding against the loss of valued facilities and services.

7.27 Members must determine whether the principle of building a new medical centre on this site is acceptable, and whether it is in accordance with the NPPF and aforementioned Local Plan policies. It is Officer advice that whilst the proposal is contrary to parts of Policy DM5.2, the adverse impacts which would result from the proposed development (in terms of the loss of a small area of designated open space and wildlife corridor), will not outweigh its public benefits having regard to the mitigation being provided. As such, it is officer advice that, on balance, the principle is acceptable.

## 8.0 Character and Appearance

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

8.2 Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (NPPF para. 134).

8.3 Para.199 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and 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 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.

8.4 The Council's Design Quality SPD states that innovative design and layout will be encouraged, 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.

8.5 The proposed building will be two storey with a maximum height of approximately 7.8m. It will have an internal floor area of approximately 607sqm. The entrance will be located on the northeastern facing elevation. The external elevations will be finished in a combination of through coloured render and facing brickwork. The car park will be located to the north of the building, set back from the northeast boundary.

8.6 Concerns have been raised by local residents with regard to the design, scale, massing and appearance of the proposed development, in particular with regard to the impact on the visual amenity of the site and surrounding area.

8.7 The Design Officer originally raised concerns with regard to the multi-coloured cladding, vents and the detail on the external elevations. In response to this, and the concerns of local residents, the applicant has submitted revised plans which omit the multi-coloured cladding and which show additional detailing and vertical emphasis to the windows. The vents remain on the plans. However, the applicant has advised that ventilation scheme itself is not yet developed enough to be able to confirm any reduction in size/location changes. The applicant has committed to reducing the size of the vents where possible at the post-planning detailed design stage, and also to colour match all vents to the elevations. It is considered that a suitably worded condition to ensure that the vents can be incorporated, but that their detailed design and any reductions/changes are submitted to the LPA for agreement prior to their installation, will satisfactorily address this matter.

8.9 The Design Officer has raised no objection to the proposal noting that the mono-pitched design of the building, although not ideal in comparison to a



traditional pitched roof, will assist in minimising the overall height of the building. He has also noted that the building will have active frontages from all sides and the elevation design and materials help to reduce the building mass. It is also noted that building has been designed to meet NHS standards.

8.10. Members need to consider whether the proposed design is acceptable and whether it would harm the character and appearance of the surrounding area. It is officer advice that, on balance, the proposal is acceptable in terms of design, scale and massing; and the relationship with the surrounding area.

### 9.0 Residential Amenity

9.1 Paragraph 185 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.2 The NPPF states that planning should always seek to ensure that developments 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.

9.3 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.

9.4 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.

9.5 Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.6 Objections have been received from the residents with regard to a potential negative impact on their residential amenity, including such matters as a loss of outlook, daylight and privacy to residents on Chathill Close, and disturbance from noise and fumes as a result of the new building, both during construction and its future operation. Concerns also relate to dirt, chemicals, gasses, mess, inconvenience and debris from the construction site. These objections are noted.

9.7 Firstly, with regard to the impact on the residents of Chathill Close, it is noted that the proposed building will be located a significant distance from the boundary with these dwellings (the north-east facing elevation will be located at least 22m from the corner of the building at 14-23 Chathill Close). The first floor windows in the north-east elevation will serve two offices and a meeting room. Given the orientation of the building and the separation distance it is not considered that this will result in any significant loss of outlook, daylight, sunlight or privacy for the occupants of these dwellings. The windows in the first floor south east elevation will face towards the open space and will not provide direct overlooking into the rear windows of any surrounding dwellings due to relationship with the surrounding properties and the separation distances.

9.8 Concerns have also been raised concerning the impact of the car park on the residents of Chathill Close with particular regard to a loss of privacy and noise. However, there is existing planting along this boundary (which will be retained and protected during construction works) and the car park has been set back from the boundary to prevent/minimise the impact on this. The planting and existing boundary treatments will ensure that privacy is not compromised and that adequate mitigation is provided for any additional noise from vehicles using the car park.

9.9 The Environmental Health Officer has reviewed the application and raised no objection subject to conditions to address the potential impact of any new lighting at the site, any noise arising from new plant and equipment, and to control construction hours and dust suppression measures.

9.10 With regard to the impact of the construction phase of the development in terms of noise and pollution, it must be noted that some disruption is inevitable during the construction phase. However, a condition will be attached to the planning approval to require the submission of a Construction Method Statement, which will identify measures to control these issues and minimise the impact.

9.11 Members need to consider whether the impact on the amenity of the occupiers of nearby residential dwellings is acceptable. It is officer advice that the impact on amenity is acceptable subject to the suggested conditions.

## 10. Highway Impact

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 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

10.3 Paragraph 111 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.

10.4 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.

10.5 The Transport and Highways SPD set out the parking standards for new development.

10.6 Significant concerns have been raised by local residents with regard to the highway impact, as set out earlier in the 'Representations' section of this report. These concerns are noted.

10.7 Incurtilage parking provision is to be provided by way of a new car park located immediately to the north of the building. This will be accessed from a new opening onto Newsteads Drive and will provide 27no. car parking spaces, including 2no. accessible spaces, an area for manoeuvring of ambulances and servicing vehicles, plus electric vehicle charging points and 14no. covered cycle parking spaces.

10.8 The Highway Network Manager has commented and noted that the applicant has submitted a Transport Assessment with the application, which demonstrates that traffic associated with the site does not cause capacity issues at the site access or wider network. In addition, parking will be provided in accordance with current standards and a Framework Travel Plan is included with the application, with the intention of reducing car journeys associated with the site. On this basis he has recommended conditional approval.

10.9 The Sustainable Transport Team have also commented and raised no objection to the proposed development noting that the Transport Statement identifies actions, measures and initiatives to promote sustainable travel to the site.

10.10 Members need to determine whether the proposed development is acceptable in terms of parking provision and the impact on highway safety. It is officer advice that it is.

#### 11.0 Impact on Biodiversity

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 174 of NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

11.3 Paragraph 180 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.

11.4 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.

11.5 Local Plan Policy DM5.6 states that proposals that are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects, will require an appropriate assessment. Proposals that adversely affect a site's integrity can only proceed where there are no alternatives, imperative reasons of overriding interest are proven and the effects are compensated.

11.6 Policy DM5.7 states that development proposals within a wildlife corridor 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.

11.7 Concerns have been raised by local residents with regard to the ecological impact of the proposed development and the loss of trees. These concerns are noted.

11.8 The site is designated as Open Space by the Local Plan and lies within a Wildlife Corridor. The applicant has submitted an Arboricultural Impact Assessment, Landscape Environmental Management Plan, Ecological Impact Assessment, BNG Assessment and Metric 4.0, and detailed landscape/planting plans.

11.9 The proposal will necessitate the removal of 12no. category C trees to enable development. The Council's Biodiversity Officer and Landscape Architect have advised that the proposed landscaping strategy adequately mitigates for the loss of these trees through the re-planting of 33 new trees both on and adjacent to the site, six of these trees will be planted on the application site itself. They have also noted that the proposed on-site landscape strategy will provide an adequate buffer between Newsteads Drive, the adjacent residential spaces, and the surrounding open green space. The proposed native-mix hedgerow now envelopes around the entire southern and eastern boundary of the car park and medical centre, widening on the western-side of the site as an adequate buffer to improve the visual impact of the development. A rain garden will also be included as part of the onsite landscaping.

11.10 The Biodiversity Officer has noted that application site consists of amenity grass of low ecological value. The BNG Assessment and Metric 4.0 indicate that a biodiversity net gain cannot be achieved on site (net loss of -76%) and therefore additional landscape mitigation is required off site to deliver a net gain. The LPA has agreed that net gain can be delivered on amenity space adjacent to

the development site which currently comprises amenity grass and trees. Off-site landscaping includes 27no. native standard trees, 590m<sup>2</sup> of species rich grassland, 410m<sup>2</sup> of mixed native scrub and a 50 linear metres of new native hedgerow. This will result in an 18.84% net gain in biodiversity which meets Local Plan Policy and the NPPF and is considered acceptable.

11.11 The applicant will manage and monitor the habitats created on-site and will also monitor and report on the off-site net gain habitats, however, North Tyneside Council has agreed to take on the management of the off-site habitats adjacent to the medical centre for the 30-year period with a financial contribution agreed with the Local Authority to fund this, which will be secured via a S106 legal agreement.

11.12 The Biodiversity Officer has suggested several conditions which will be attached to the planning approval to address any impacts.

11.13 Members need to determine whether the impact of the proposed development is acceptable in terms of biodiversity and landscaping. Officer advice is that, subject to the suggested conditions and legal agreement, the proposed development is in accordance with policies S5.4, DM5.5, DM5.6 and the Coastal Mitigation SPD (2019).

## 12.0 Other Issues

### 12.1 Flood Risk and Drainage

12.2 NPPF states that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment following the Sequential Test.

12.2 Policy DM5.12 Development and Flood Risk states that all new development should contribute positively to actively reducing flood risk in line with national policy, through avoidance, reduction, management and mitigation.

12.3 The site falls within Flood Zone 1, which is the lowest risk of flooding. The applicant has provided a Flood Risk Assessment and Drainage Strategy. Concerns have been raised by local residents with regard to the potential increased flood risk as a result of the proposal.

12.4 The Council's Local Lead Flood Authority have reviewed the application documents and advised that they have no objections noting that the site is at low flood risk though its position is located adjacent to an existing surface water flow path. However, to mitigate against the risk of internal flooding from this flow path the building will have a finished floor level set at 300mm above the estimated flood level.

12.5 Surface water attenuation will be provided within the development site via the use of a rain garden, permeable paving in the car parking areas and surrounding footpaths and an underground storage tank. The LLFA has advised that in order to retain all surface water within the site a drainage channel or similar drainage feature will need to be installed across the site entrance in order to capture and control any surface water leaving the site and impacting on

Newsteads Drive and that this can be controlled via a condition attached to the planning permission.

12.7 Members are advised that the proposed development would have an acceptable impact upon flood risk, subject to the suggested conditions.

#### 12.6 Ground Stability

12.7 Paragraph 184 of NPPF states that where a site is affected by contamination of land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

12.8 Policy DM5.18 'Contaminated and Unstable Land'; states that where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report.

12.9 Local residents have raised concerns with regard to the suitability of the land for development as they believe that there may be previous mine workings on the site or a site of industrial waste. These concerns are noted.

12.10 The application site is located within a Coal Authority Referral Area. The Coal Authority have reviewed the submitted Phase 1 Preliminary Contamination Risk Assessment & Coal Mining Risk Assessment and raised no objections subject to the attachment of conditions to ensure that intrusive ground investigation works are undertaken prior to development commencing in order to ensure the safety and stability of the proposed development, including any the provision of any required remedial measures.

12.11 The Contaminated Land Officer has been consulted and reviewed the submitted reports. She has raised no objection to the proposed development, subject to contaminated land and gas investigation surveys.

12.12 Members must determine whether the proposed development is acceptable in terms of ground stability. Officer advice is that the proposal is acceptable in this regard.

#### 12.13 Sustainability

12.14 Section 14 of the NPPF sets out the Government's objectives for the planning system in terms of meeting the challenge of climate change, flooding and coastal change. Para.152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. Paragraphs 153 through to 158 set out measures for the planning system to address the climate change challenge, including the planning of green infrastructure, reduction of greenhouse gas emissions and increasing the use and supply of renewable and low carbon energy and heat. A planning application should be approved if its impact is, or can be made, acceptable.

12.15 Policy DM7.6 of the Local Plan states that proposals for development involving the provision of renewable and/or low carbon technologies, including micro-generation technologies, will be supported and encouraged except where the proposal would have unacceptable adverse effects that are not outweighed by the local and wider environmental, economic, social and other considerations of the development.

12.16 The applicant has submitted a Sustainability Statement in support of the application. This provides a detailed overview of the measures proposed to maximise energy efficiency and minimise the carbon footprint of the development. Such measures include building orientation, natural ventilation, insulation, compliance with Building Regulations Part L 2021 which requires that all new schemes meet not only the Building/Target Carbon Emission Rate (BER/TER) criterion but the New Primary Energy Criterion BPER/TPER. In addition, external measures include the installation of PV panels to the roof.

12.17 It is clear from the information submitted that the design of the proposed development acknowledges the need to address climate change. It is officer advice that the proposed development is acceptable in this respect.

12.18 Members need to determine whether the proposed development is acceptable in terms of its provision of renewable and/or low carbon technologies, incorporation of green infrastructure and measures to reduce greenhouse gas emissions in accordance with Policy DM7.6 and the NPPF.

#### 12.19 Local Financial Considerations

12.20 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration 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, will or that could be provided to a relevant authority by a 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 Community Infrastructure Levy.

12.21 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms. It is not considered that there are any local financial considerations material to this application.

#### 13.0 Conclusions

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

13.2 Specifically, the NPPF states that LPA's should approve development proposals that accord with an up-to-date development plan without delay. However, NPPF also recognises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with

an up-to-date development plan permission should not usually be granted. It is officer advice that this development is acceptable, albeit it does not fully comply with Policy DM5.2, which requires the loss of any part of the green infrastructure which meets an exception set out in the policy, to be replaced with alternative provision, equivalent to or better in terms of its quantity and quality. In this case, whilst no additional quantity is being provided, a better/enhanced quality is being provided and this is acceptable for the reasons set out in this report.

13.3 The proposal will provide significant public benefits in accordance with the objectives of paragraph 93 of the NPPF and policy S7.10 of the Local Plan in terms of meeting the health needs of the community and guarding against the loss of valued facilities and services. This is a material consideration which should be afforded weight.

13.4 The design and layout of the proposed medical centre conforms with the general design principles and is not considered to have a significant adverse impact upon the character and appearance of the site or its immediate surroundings.

13.5 The proposal would provide parking in accordance with the Council adopted standards and would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe.

13.6 The proposal would not adversely affect the privacy or amenity of surrounding properties.

13.7 Issues to do with flooding and contamination can be dealt with via planning conditions.

13.8 Whilst the proposal does not fully comply with Policy DM5.2, it is considered that given the mitigation provided both on and off site and the benefits of the proposal, planning permission should be granted subject to a S106 Legal Agreement and conditions.

**RECOMMENDATION:** Minded to grant legal agreement req.

***It is recommended that:***

***the Committee indicates that it is minded to grant the application; and***

***the Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:***

***the conditions set out in the planning officers report and any subsequent addendum(s); and,***

***the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development;***

***and***

***Completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:***



**A financial contribution of £41,240 towards the management of off-site net gain habitats**

**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 15.09.23
  - Location Plan 1493 (SP)01 A1, 18.07.23
  - Wider Context Plan 1493 (SP)04 A1, 18.07.23
  - Proposed Elevations - Sheet 1, 1493 (00)04 A2, 14.11.23
  - Proposed Elevations - Sheet 2, 1493 (00)05 A2, 14.11.23
  - EV Charging Points, 1493 (SP)08 A1, 11.10.23
  - Proposed Ground Floor Plan, 1493 (00)01 A1, 18.07.23
  - Proposed First Floor Plan, 1493 (00)02 A1, 18.07.23
  - Proposed Roof Plan, 1493 (00)03 A1, 18.07.23
  - Proposed Section, 1493 (00)06 A1, 18.07.23
  - Proposed Site Plan, 1493 (SP)03 A1, 18.07.23
  - Indicative Sections and Details, POE\_252\_002 A, 14.07.23
  - Landscape General Arrangement, POE\_252\_001 A, 14.07.23
  - Planning Statement and Open Space Assessment, JP/LH/ER/5050NE/R001, Sept 2023
  - Sustainability Statement, v1, 06.07.23
  - Ecological Impact Assessment, Ref: RiderHunt\_NewsteadsDrive\_EclA1.4, 28.11.23
  - BNG Metric 4.0
  - Landscape Environmental Management Plan, ref: POE252-071123: Rep001, 22.11.23
  - Noise impact assessment 10946.1A, 27.07.23
  - Travel Plan Statement, Ref: 1106-ISTPS, rev.2, 31.07.23
  - Transport Assessment, Ref: 1106-TA, rev.4, 31.07.23
  - Flood Risk Assessment and Drainage Strategy, JK-7060, P02, July 2023
  - Phase I Preliminary Contamination Risk Assessment & Coal Mining Risk Assessment, GEOL23-7723, 26.06.23
  - Mineral Safeguarding Assessment, GEOL23-7723, 03.08.23
- 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. Restrict Hours No Construction Sun BH                      HOU00    \*  
4

4. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of

vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development), and details of loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires. The scheme must include a site plan illustrating tree protection measures for the trees to be retained, 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.

5. The scheme for access shall be laid out in accordance with the approved plans. This access shall not be used for any other purpose and retained thereafter.

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

6. The scheme for parking shall be laid out in accordance with the approved plans. These parking areas shall not be used for any other purpose and retained thereafter.

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

7. The scheme for Electric Vehicle (EV) charging shall be laid out in accordance with the approved plans. This EV charging shall not be used for any other purpose and retained thereafter.

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

8. The scheme for the provision of undercover, secure cycle provision shall be laid out in accordance with the approved plans and prior to the occupation. This cycle provision shall not be used for any other purpose and retained thereafter.

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

9. No part of the development shall be occupied until details of a parking management strategy has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

10. The scheme for the provision of and storage of refuse shall be laid out in accordance with the approved plans and prior to the occupation. These refuse storage areas shall not be used for any other purpose and retained thereafter.

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

11. Prior to the installation of drainage in connection with the approved development, a detailed drainage design scheme for the disposal of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The scheme should include a drainage channel or similar drainage feature to be installed across the site entrance in order to capture and control any surface water leaving the site and impacting on Newsteads Drive. Thereafter the development shall take place in accordance with the approved details prior to operation of the site.

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

12. Notwithstanding the approved plans, full details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the approved development must be submitted to and approved in writing by the Local Planning Authority prior to its installation. 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 DM5.19 of the North Tyneside Local Plan (2017).

13. Notwithstanding the approved plans, full details any air ventilation system to be provided in connection with the approved development must be submitted to and approved in writing by the Local Planning Authority prior to its installation. 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 DM5.19 of the North Tyneside Local Plan (2017).

14. Prior to the installation of any external plant and equipment at the application site (including extraction vents, flues, air conditioning units etc.), a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The noise scheme, which must be in accordance with BS4142, shall provide the noise rating level from the combined plant and equipment to ensure that the background noise levels at the façade of the nearest residential properties (as set out in Table 1 of noise report ref.10946.1A) are not exceeded and should include details of any required sound insulation materials. Thereafter, all equipment must be installed and maintained in accordance with the manufacturer's details and the rating level for all plant and equipment (including the combined noise created by use of all plant and equipment) shall not at any time exceed the agreed levels

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.

15. Within one month of the installation of any external plant and equipment acoustic testing shall be undertaken to verify compliance with condition no.14 of this approval and the results submitted in writing for the approval of the Local Planning Authority. Thereafter, the plant and equipment shall be operated in complete accordance with the approved details and maintained in working order.

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.

16. Noise No Tannoys Externally Audible                      NOI002    \*

17. There shall be no deliveries to the premises or collections from the premises outside of the hours of 07:00 - 23:00 on any day.

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.

18. Prior to the installation of any external lights in connection with the approved development full details of the location and design, including illuminance levels, must be submitted to and approved in writing by the Local Planning Authority. External lighting must be low level, avoiding use of high intensity security lighting and will be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/23 "Bats & Artificial Lighting in the UK" <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>. Thereafter, any external lighting may only be installed in accordance with the approved details.

Reason: In order to protect the residential amenity of the nearby residents, the character and appearance of the host site and surrounding area and to ensure that local wildlife populations are protected in the interests of ecology that having regard to policies DM5.5, DM6.1, DM6.2, and DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

19. The premises shall not be open for business between the hours of 20:00 hours and 07:00 hours on any day.

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).

20. Site Investigation    CON00    \*  
4

21. Remediation Method Statement                                      CON00    \*  
5

22. Validation Report    CON00    \*  
6

23. Unexpected Hotspots    CON00    \*  
7



Reason: In the interest of visual amenity, having regard to Policy DM6.1 of the North Tyneside Plan.

32. Prior to construction of the approved development above damp-proof course level, details (to include specifications and locations) of 2no.integrated Swift bricks, such as the Manthorpe Swift brick (<https://www.nhbs.com/manthorpe-swift-brick>), or similar, shall be submitted to and approved in writing by the Local Planning Authority. The Swift bricks must be installed on the north-eastern or north-western aspects of the new building at a minimum of 4- 5 metres height. Thereafter the development shall be carried out in accordance with the agreed details and permanently retained.

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

33. Prior to construction of the approved development above damp-proof course level, details (to include specifications and locations) of 2no.integrated bat boxes (as recommended in section 6.7.1 of the Ecological Impact Assessment (EclA) Report (Dendra Consulting October 2023)) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the integrated bat boxes must be installed in accordance with the agreed details and permanently retained.

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

34. 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 Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

35. All works shall be undertaken in accordance with the hedgehog working methods set out in section 6.5.1 of the Ecological Impact Assessment (EclA) Report (Dendra Consulting October 2023).

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

36. Prior to the installation of any new boundary fencing associated with the approved development details of locations and specifications of hedgehog gaps must be submitted to and approved in writing by the Local Planning Authority. The hedgehog gaps (13cm x 13cm) shall thereafter be installed within the new fencing in accordance with the approved details and retained thereafter.

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

37. 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 for on-site landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be in accordance with the details of the BNG Assessment and Metric 4.0 (Dendra Consulting Nov 2023) and include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth). The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. No development shall take place until a schedule of landscape maintenance for a minimum period of 30 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.

Reason: To ensure a satisfactory standard of landscaping having regard to policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

38. Prior to the commencement of any development, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for all landscaping/habitat creation on-site, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of site preparation, long-term design objectives, management and monitoring objectives, management responsibilities, timescales and maintenance schedules for all newly created and enhanced habitats within the site. The plan must include details of the following:

- Details on the creation, enhancement and management of all habitats identified within the Net Gain Report/Biodiversity Metric (Dendra Consulting Nov 2023) and approved on-site Landscape Plans/Strategies. Management prescriptions shall relate directly to the targeted criteria required to meet the specific habitat condition assessments set out in the BNG Report

- Survey and monitoring details for all for all target habitats identified within the Net Gain Assessment Report and Metric 4.0 (Dendra Consulting Nov 2023). 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 to ensure the habitats are reaching the specified target condition. 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.

- Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report/Biodiversity Metric.

The LEMMP shall be implemented in accordance with the approved details on completion of the landscape scheme and thereafter for a minimum period of 30 years.

Reason: To ensure a satisfactory standard of landscaping having regard to policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

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

40. Prior to the commencement of any site clearance works, the protective fencing shall be erected according to the locations marked within the approved Arboricultural Impact Assessment, MS & TPP document. The type, height and position of protective fencing to be erected around each tree or hedge within or adjacent to and overhang the site shall be in accordance with the fencing shown in the Arboricultural Impact Assessment, MS & TPP document. Any alternative tree protection fencing to be used on site prior to and during construction shall be agreed in writing by the Local Planning Authority. Each tree group /hedgerow 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.

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

41. All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, landscaping, 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 order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

42. Prior to the undertaking of any works involving excavation of soil, including foundations and the laying of services, within the RPA's of the trees to be retained on the site, a scheme of works must be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the method which shall include hand digging or another suitable method such as an air spade. Thereafter, works within the RPA's must only be carried out in accordance with the agreed method.



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

43. All 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, details of which are to be submitted for approval.

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

44. Cabins, storage of plant and materials, parking are not to be located within the RPA of the retained trees as defined by the Tree Protection Plan and maintained for the duration of the works.

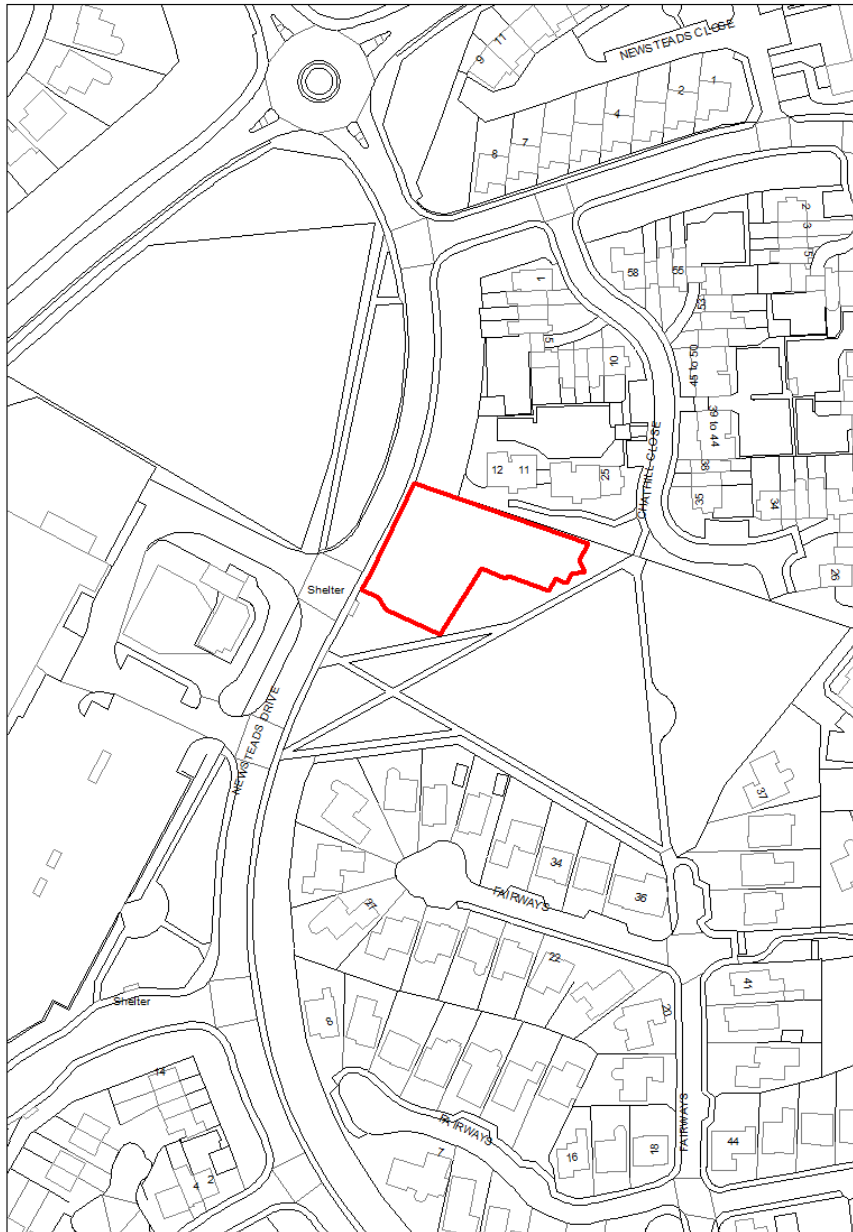
Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

45. On completion of the approved development and prior to its first occupation, written evidence of regular monitoring of the site to ensure compliance with the approved Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority. The formulation of the evidence will require the developer to appoint an arboricultural consultant, prior to commencement of the development, who will advise on the tree management for the site, undertake regular supervision visits during all stages of construction work to oversee the agreed tree protection and visit as required to oversee any unexpected works that could affect the trees.

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

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

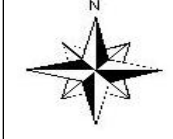
The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord 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.



**Application reference: 23/01265/FUL**  
**Location: Land At, Newsteads Drive, Whitley Bay, Tyne And Wear**  
**Proposal: Full planning application for the construction of a new medical centre with associated access and landscaping works on land to the east of Newsteads Drive, Whitley Bay, North Tyneside to replace the existing Beaumont Park Medical Centre at Hepscoot Drive, Whitley Bay**

Not to scale  
Date: 30.11.2023

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**Appendix 1 – 23/01265/FUL  
Item 1**

**Consultations/representations**

**1.0 Representations**

The representations received are as follows:

- 460no. objections;
- 88no. letters of support;
- 3no. representations;
- Objection petition (436 signatures); and
- 361no. individually signed letters in support of the proposed development, which have been submitted by Beaumont Park Medical Centre.

The above are summarised below:

**1.1 Objections**

**Open Space**

- Loss of much needed open/green space, of which there are not enough.
- Pocket Park is well-used by all generations of the community as amenity space for games, walking, sitting, socialising, dog walking, children learning to ride bikes, community fayres/event etc.
- Pocket Park is the only green safe place for children to play in a highly populated area.
- This will set a precedent for green space to be taken up by buildings.
- Inappropriate location for this development.
- We need more green space, not less.
- Loss of green spaces has lasting impacts for future generations.
- For some residents, particularly those with poor mobility and/or no transport, this is their only accessible green space as it is a considerable distance to other parks and green areas.
- Two story building and car park will take up too much space on what little green we have within the West Monkseaton area.
- The park provides valuable green space in an area that has been relentlessly developed in the last 35 years.
- If anything is built here no doubt it would mean no ball games.
- Although the development will still leave some of the land, it will affect the open aspect and change the feeling of the space.
- The council should be enhancing the area with bench's more trees and flower beds.
- The original master plan for the area included this open space for public amenity.
- Residents in the immediate locality purchased properties believing the implied promise that the recreational area would remain intact.
- It has for over 30 years acted as and is by default a 'village green' with the associated customary rights and as such is protected in perpetuity.
- These green sites once lost will never be replaced.
- This proposal contravenes NPPF paragraph 99 and North Tyneside's Local Development Plan. The development does not comply with any of the criteria for exceptions, and the site was designated as being of "high value" in NTC's 2015 Green Space Strategy.

- A restrictive covenant is to be applied to the remainder of the green space if the application be successful. If the other 86% of the land needs protecting why doesn't the 16% in question?
- There is already a -6.3% under supply of green space within the ward which will increase further if this development was to progress.
- Yet another example of this council building on a precious piece of green land at this end of the borough.
- The plans state only a small part of land will be used this is incorrect as once building starts more of the park will be built on.
- This is an award-winning area for green space so please keep it that way.
- The importance of new doctors surgeries but this has to be balanced with the impact on an important piece of green space used by the local community.
- Will result in significant loss of green space for local residents without significantly improving GP services for the area.

### Ecology/Environment

- Negative impact on wildlife corridor.
- The site is a haven for wildlife.
- Pocket Park is used by endangered birds for feeding at night. Reducing a vital feeding ground for these birds will endanger their populations further and this will have an impact on the local bird populations at St Mary's Nature Reserve from where they fly to feed on the site at night.
- Proposal fails to deliver biodiversity net gain.
- Undermines our environmental sustainability goals.
- Trees planted by local school children many years ago are to be uprooted to make way for this building.
- Destruction to trees and hedges.
- Proposed planting will not replace the many semi mature trees that would need to be dug up.
- Swift nesting bricks should be used in all development in North Tyneside.
- Increase in pollution from emissions will impact climate change.
- Would be far better to repurpose an existing building, saving building materials, carbon footprint and saving much need trees, green space and natural environment.
- The site is a green lung for the environment.
- This would be the permanent destruction of an incredibly valuable and attractive open space and a destruction of trust in the Local Authority for thousands of people.
- To make Pocket Park smaller would result in a degraded outdoor experience for those using it.
- Environmental impact that the construction of a medical centre might have on the local ecosystem.

### Flooding

- Pocket Park acts as a rain garden and building over it will increase the likelihood of flooding to nearby residential homes, during flash flooding, which will increase in frequency due to the climate crisis.
- Proposal will reduce natural drainage after rain and will reduce heat absorption in the area.

### Highway Impact

- Increased traffic, parking and congestion.
- Exacerbation of existing highway safety issues (Sainsburys car park access/HGV entrance/Newsteads Drive).
- Access to bus stop will be restricted.
- Newsteads Drive is busy at all times.
- Reduced pedestrian safety, particularly school children and elderly residents.
- Increased risk of vehicle collisions/accidents.
- Proposed parking area is too small, there will be overflow parking onto surrounding streets.
- The site is poorly served by public transport from areas where their patients live.
- Patients will have to travel several miles to reach the nearest pharmacy.
- There is no pedestrian crossing.
- Existing infrastructure cannot support increased traffic from this proposal.
- Applicant does not have Sainsbury's permission to use their car park for overflow.
- Nowhere for contractors vehicles to park during construction.

### Visual Amenity

- Design is out of keeping with the surrounding area.
- Proposed building and car park will spoil the outlook and beauty of this area.
- Too large and too high.
- A lovely area will be blighted by an ugly building and car park.
- Materials are not in keeping with surrounding properties.
- The cladding is out of keeping with the brick buildings surrounding the area and it makes it look cheap and distasteful.
- Looks more like an amusement arcade than a place of healing.
- Building will be an eyesore.
- The suggestion that having a building there will be of benefit as a barrier between the green space and the road is ridiculous. We've managed fine without any such barrier last 30 plus years.
- The colour scheme is for Whitley Bay seafront, the site is some distance away from this.
- I assume this construction is more cost effective however given the high level of rent that will be paid by the NHS to the surgery, they can afford to invest more in the building construction.

### Residential Amenity

- Light pollution and loss of privacy for residents of Chathill Close.
- Car park will affect the privacy of residents on Chathill Close, especially in winter when the trees are without leaves.
- Views from my flat will be horrendous.
- Detrimental impact on natural daylight to homes in Chathill Close.
- Traffic fumes/detrimental impact on air quality.
- Environmental damage.
- Dirt, harmful chemicals, gasses, mess, inconvenience, noise and debris from building site would be unacceptable.
- The people who live in the flats must be devastated as this is their garden.
- Elford Close residents will have this development basically in their back yard.
- Noise from increased traffic.
- During construction rats will be displaced to residential gardens spreading disease

### Mental Health/Wellbeing

- Loss of green space will have negative impact on mental health and wellbeing.
- Harmful impact on physical activity.
- Health implications for local residents (air quality).
- Proposal will reduce community cohesion and increase social isolation.
- Ironic that building a new medical centre will adversely affect the health of people in this area.
- Greenspaces should be invested in to improve health.
- Depleting a green space, which positively impacts health is counter intuitive.

### Ground Stability

- Unsuitable ground conditions. Adjacent sites have similar geology and history and most, if not all of the houses and bungalows in Fairways, for example, have raft foundations. I understand that extensive piling was carried out on the Sainsburys site with cast-in-situ reinforced concrete piles installed even in the carpark area. If driven piles are specified as on the West Park site, there will be substantial noise disturbance and possible vibration damage to adjacent properties.
- I was told when the surrounding houses were built (I've lived here for 40 years) that this area couldn't be built on as it was site of an uncontrolled tip. This may consist of household or industrial waste, but no-one knows what's buried there or what gases now exist.
- When we moved to area in 1981 we were informed that the site could not be built on due to underground mine workings from 'Fenwick Drift', which has left the area unstable.

### Other

- Lack of transparency.
- The way this planning application has been presented is somewhat underhanded.
- No need for another medical centre in this area. Other local spaces already allocated for healthcare purposes are underutilised (Shiremoor Resource centre) due to difficulties in recruiting GP's.
- Existing surgery is never busy.
- Conflict of interest as local Councillor is medical centre employee.
- The lease owner has vested interest in both the medical facility and the current building.
- Existing premises have been allowed to fall into disrepair. Gives rise to concern over maintenance and upkeep of a new development.
- If the current building were maintained sufficiently, they wouldn't be looking for a new and extremely inappropriate site.
- Has the plan along been to let the existing building get so bad they have to move and make more money by building a bigger surgery?
- In this digital age why is there a need for a bigger surgery?
- Investment should be made into the existing surgery, which could then be extended.
- There are other brownfield sites which are more suitable for the proposed development, these have been refused by the applicant.
- Applicant should explain very clearly what other options have been considered and the reasons why they are unsuitable.

- I feel the council are being held to ransom by the threat that the medical centre will be lost unless this is approved.
- Proposal goes against promises made to surrounding residents.
- We are losing a lot of green land to 300 plus houses without more for a medical centre when there are several other areas of unused buildings.
- Same proposal was overruled in 2022 due to local residents' objections so what is the justification to change that ruling now when even more residents don't want this?
- There are other surgeries in the area which are not at full capacity.
- Will the existing Beaumont Park surgery become derelict and spoil that area too?
- Lack of public communication from Labour Councillors and Council Officers.
- Planning consultation process fails to engage disabled people adequately. The Council should actively seek Disabled Residents permission and inclusion on all planning issues affecting where they live.
- Little justification for using public land for private profit, given that those who use the land for healthy recreation will be displaced and have nowhere else to go.
- Harmful impact on property value.
- Many patients do not live in the catchment area for the medical centre. To ruin a space where people live and use to make money and accommodate people not even from the area is wrong.
- Pocket Park is not on Beaumont Park.
- The planning committee should visit the site to experience firsthand the tranquillity and natural beauty that would be lost if this project proceeds.
- Why haven't provisions been made to build on sites with new housing rather than taking green space from existing estates?
- No details have been given of alternative sites, and why they were rejected?
- The reasons given for why the 20+ other locations are not viable also apply, if not more so, to the application site.
- There is a significant shortage of qualified medical staff in England. Whilst they may build bigger premises they may still not have sufficient qualified staff to enable the patient list to grow.
- The health centre has been actively "coercing" their patients to sign a pre-typed form to support their development. Logging each of these letters as individual support is misleading and equal weight should therefore be attached to each signature on the objection petition.
- Concerns about reports that patients at the medical centre have been pressured to submit comments in support of the planning application. This is an immoral and bullying tactic and should be stopped.
- There was a great effort among local councillors and the community to get the decision to sell the land rejected in March 2022.
- As far as we have been made aware, is not proposing to increase the number of doctors so it will still be impossible to get an appointment and access the facilities.
- If the practice reduced its catchment to just the local area, they would have a smaller volume of patients to care for and could maybe just relocate to one of the many vacant properties in the area or stay where they are.

## **1.2 Support Need**



- Existing surgery is not fit for purpose. It was never intended to service the many thousands of patients it now does. A lot of those patients are elderly.
- In order to provide all patients with the best experience at their time of need and give staff a safe and pleasant working environment, this building needs to be constructed.
- The existing surgery will be closed down if this planning application fails.
- Closure of surgery will negatively impact many patients and other nearby surgeries.
- If Beaumont Park closes down there will be thousands of patients looking for a new surgery and they may have to travel miles to see a GP.
- New surgery is needed, especially with more houses being built in the area.
- Desperate need for new, modern premises.
- Healthcare of the community far exceeds people that see this area just for dog walking.
- As a long time resident of Monkseaton and Whitley Bay and as a patient of the current Beaumont Park surgery I know that there is a major need for additional capacity at this NHS medical practice.
- The proposal would provide new facilities to provide much needed GP training within North Tyneside, not only increasing GP facilities to local patients but also potentially drawing additional GPs into North Tyneside in the longer-term post qualification.
- Local Healthcare for patients is only sustainable if the people who work in it are given the right tools and buildings, developments such as this are necessary across many different areas.
- Current patient provision is inadequate within practices in this area and staff are crammed into spaces that are not fit for purpose.
- Well-being will be enhanced for the surrounding community by the provision of this Medical Centre, due to the services, access and support offered to thousands of individuals for generations to come.
- This building is long overdue.
- This will support a sustainable local NHS and provide excellent health care for the local population.
- Very difficult for wheelchair access in the building.
- As a disabled patient this practice is not fit for purpose and needs replacing.

### Location

- Whenever I pass 'Pocket Park' I never see anyone on the specific part of the land that they're planning to build on. They are always at the back of the field.
- Most of the activity in the park takes place in the triangle of grass to the west of the Sheep statues, the surgery is proposed to be built near the road in an underused area of the park which wouldn't affect the objectors' activities.
- All paths will still remain in place and the building will shield kids playing from the road.
- Application site is only a small part of Pocket Park.
- There is ample space for the new build surgery as well as the public who use this space.
- Well located for the patients of Beaumont Park Medical Group and would not take all of the green area.
- The existing premises are landlocked, and it is clear they cannot be expanded – additional storeys would have a major impact on surrounding residents.
- The application site has very little amenity or ecological value.

- This will be good for the community.
- This area of land has had little or no use since it was created.
- Children no longer play on the park, it's not safe, or clean underfoot.
- The summer fair held on the field during the summer wasn't very well supported, this recent invention appears to be ploy to pretend that the field is a home counties style village green - we appear to have managed without a summer fair over the past 30 years, no need to prohibit a much-needed health facility to save the 'summer fair.'
- The plans clearly demonstrate minimal use of the area, with plenty space for all current and future recreation.
- The proposal will reduce traffic congestion within the surrounding housing areas.
- The proposed site is one of the few suitable in the area.
- The loss of green space is minimal when the advantages are so much greater for health.
- "Save the park posters" that are around are giving a false impression. The park will not disappear nor will all the green space.
- The site is in a built-up area and is on mowed turf. Much green space will remain and I believe the advantages far outweigh any perceived negatives

#### Residential Amenity

- There is plenty of room on the proposed area not to impact on local housing.

#### Visual Amenity

- Will blend in well with the surrounding area.
- The design is modern and attractive, fitting in with Sainsburys opposite.
- Small footprint and pleasant landscaping.

#### Environment

- Good for environment, as more landscaping going in and able to charge electric vehicles, can cycle there or get bus right outside.
- Proposal will have little to no negative impact on any current wildlife, as this is open space and the plans show that this area will be enhanced with extra landscaping to encourage more wildlife to the area.

#### Accessibility

- The surgery needs to be in a more accessible location such as this.
- Proposal will allow additional NHS services to be made available within this part of the borough and increase access to residents.
- The site is easily accessible by public transport (bus and metro).
- Access to proposed building will be safer than the existing surgery.

#### Other

- A pharmacy should be included in the development.

### **1.3 Representations**

- As a non-driving pedestrian aged over 75, I have considerable concerns regarding crossing Newsteads Drive safely. The proposed development presents an opportunity to improve existing pedestrian safety, it should not exacerbate existing problems.

- Traffic calming measures and/or a controlled crossing point are required to minimise risks to pedestrians. An increased risk of vehicular collisions arising from the introduction of a new access point could also be mitigated by traffic calming measures.

#### **1.4 Petition (436 signatures)**

This is a collective objection to building on West Monkseaton's only accessible green space which is used and valued by many residents and their families from the surrounding area. The decision to sell this land after 30 years being a community green area is a travesty and beyond belief. We implore you to reconsider the decision to sell this land.

#### **1.5 NHS North East and North Cumbria ICB**

1.6 I would like to register the ICB's support for the construction of a new surgery at the above site. As commissioners of primary care services across the region we have assessed this development as essential in meeting both the current and future health and wellbeing needs of the local population. Construction of a new, purpose-built surgery will allow the practice to expand its current service offer and better meet the needs of patients.

1.7 Providing access to high quality primary care within the community in which people live, is an essential element of keeping people in good health and in their homes. The current facility is not fit for purpose and the upgrades will allow Beaumont Park Medical Group to see patients more efficiently, provide a wider primary care offering and reduce pressure on acute services.

1.8 The proposal will bring positive health and wellbeing benefits to the community and wider area through retention and enhancement of primary care services. Although the ICB recognises the loss of some of the open space currently on the site, we believe that the health and wellbeing benefits of a fit-for-purpose primary healthcare building will bring the community significantly more benefits. Even with the construction of a new surgery, a large amount of the wider site will remain undeveloped, with the schemes associated planting and landscaping helping to increase the range of fauna and flora that inhabit the site.

1.9 The new building will be fully accessible, allowing patients with a wider range of mobility challenges to access the building and care. It will also allow the practice to provide a more inclusive environment from which to offer care to the community.

1.10 The site is in close proximity to the existing surgery, meaning that patients will continue to be able to get easy access to primary care. The building's position within a largely residential area is a necessary feature of providing accessible care for all. As an ICB we are aware that for lower income households travel costs form a disproportionately large percentage of monthly costs. Therefore, the building's position within a residential area helps to support access for those who most need health and wellbeing services.

1.11 The ICB believes that this particular site has the benefits of close proximity to patients, whilst also channelling traffic generated by the scheme along non-residential roads. Furthermore, the existing bus routes that support Sainsbury's

will also in the future allow patients to travel by bus to access the site, improving the utilisation of the community bus route.

1.12 In summary the new facility will allow the GP practice to meet the current and future health needs of the community whilst enhancing the wellbeing patients receive from the site.

### **1.13 NHS North East and North Cumbria ICB (Head of Commissioning (Primary Care) North East and North Cumbria ICB)**

1.14 The proposed building will allow the much needed relocation of Beaumont Park Medical Group to a purpose built health facility which will significantly improve the primary care health offer to patients in the local area.

1.15 With local populations increasing in both number and average age we know that the demand for general practice services is only going to increase and there is a need to grow local services to meet that demand. Sadly Beaumont Park Medical Group outgrew its building a long time ago restricting the ability of the practice to grow as needed.

1.16 This has caused both resilience and stability issues for the practice as well as limiting the range of services that the practice can offer registered patients. Access to the current building is poor, particularly for those with disabilities, and the building doesn't lend itself to modern general practice provision. There are concerns that the above limitations result in patients local to Beaumont Park having no choice but to access services through neighbouring GP practices to get their health needs met. This increases the pressure on those practices and makes it more challenging for patients at those practices to access appointments.

1.17 There is a clear strategic need therefore for the practice to relocate, but it has been very challenging over a number of years to find a viable site to relocate to. The proposed site for the new medical centre works well for a health facility. Geographically it is close to both the existing practice and local amenities, there are good public transport links, and there is good access to the site. The location and increased building size will also support future provision of primary care services to the planned Murton Gap development.

1.18 I believe a new medical centre at this site would be an asset for the local community, both in terms of improving the current provision of healthcare services to patients in the area, as well as safeguarding the future provision of primary care services in north Whitley Bay.

### **1.19 Newcastle & North Tyneside Local Medical Committee**

1.20 We write in our capacities as the Chair and Medical Secretary of Newcastle and North Tyneside Local Medical Committee, the statutory representative body for General Practitioners in Newcastle-upon-Tyne and North Tyneside.

1.21 We are aware of the ongoing proposal for the redevelopment and relocation of Beaumont Park Medical Group in Whitley Bay and would like to formally write to support this development in the strongest possible terms. Our reasons for doing so are as follows:

1.22 It is absolutely clear that the current premises occupied by Beaumont Park Medical Group are not fit for purpose either currently nor in the future. In 2023 and moving forwards, it is critically important that GP Surgeries operate out of modern purpose-built facilities. The proposed new development will undoubtedly support the Beaumont Primary Care Team to be able to provide high quality care and properly meet the needs of the local population. It is completely clear that the current premises do not.

1.23 For the Beaumont Park Primary Care Team to continue operating out of their current site massively impairs their ability to house their growing staff team and is having a major adverse impact on staff recruitment and retention. It is absolutely clear to us that if the proposed relocation does not go ahead, Beaumont Park Surgery is very likely to close like 110 other GP surgeries in England during 2023 alone. Were this to happen, all existing patients would be dispersed to other existing GP surgeries resulting in significant disruption and difficulty for thousands of local residents. This would have a disproportionate impact on the elderly and those with existing mobility issues. Worse still, given the current severe difficulties relating to staff recruitment and retention in General Practice, it would be highly likely that neighbouring practices, faced with thousands of new patients overnight would find their ongoing viability threatened. This kind of contagion has already happened with devastating impact in other parts of England.

1.24 As far as we can see, the proposed new development would have the space and accessibility to ensure a great service for patients, with the ability to house the growing numbers of services and staff desperately needed in the community in future.

## **2.0 Ward Councillors**

### **2.1 Councillor Judith Wallace (St Mary's Ward)**

2.2 Please note that I wish to support this application:

1. The new building will enable the practice to open to more patients. Currently, their list is closed and I have had many ward residents express their concern and disappointment that they cannot attend a local GP surgery.
2. The new building will enable the GPs to offer more services and treatments, which will mean patients are treated sooner and more easily. It will also relieve pressure on facilities elsewhere. The current building is too small to allow such provision.
3. The new building will enable the practice to train doctors who wish to become GPs. The current premises are inadequate and the practice is not allowed to offer training even though it is keen to do so. There is a shortage of GPs and, if this application is rejected, there will be an adverse impact on services in the long and short term.
4. The new site offers adequate parking.

### **2.3 Councillor Jane Shaw (Monkseaton North Ward)**

2.4 I wish to support the objections of Monkseaton North residents to the application by Beaumont Park GP Practice to obtain planning permission to erect a new surgery building on the Newsteads Drive pocket park.

2.5 There is little open green space that is readily accessible by the residents living on the surrounding housing estate without the need to walk some distance or cross the A1148 road. I am therefore disappointed that at a time when North Tyneside doctors are voicing support for the planned seafront cycle route and the NHS is encouraging people to be active for the sake of their health, a local doctor's practice is hoping to spoil this area of well utilised green space, by bringing what we are led to believe, will be a busy surgery building to it. Thereby divesting it of the peace it affords to users and increasing air pollution from the additional traffic that will be created.

2.6 In addition, I am greatly concerned that the proposed surgery will significantly raise the risk of road traffic accidents occurring on Newsteads Drive, due to its proximity to Sainsbury's supermarket. The supermarket lorries manoeuvring off and onto Newsteads Drive are already a hazard to existing traffic and when the supermarket is busier Newsteads Drive is used by shoppers as an overspill car park. The addition of the vehicular entrance to the surgery car park can only worsen an already unsatisfactory situation.

2.7 I am not without some sympathy for the Beamont Park GP's need for improved surgery accommodation, but I am not convinced that the only suitable solution to the Practice's problems is to despoil the Newsteads Drive pocket park.

### **3.0 Internal Consultees**

#### **3.1 Highway Network Manager**

This application is for the construction of a new medical centre with associated access and landscaping works. The practice currently operates from a site at Hepscott Drive in a Local Centre with shared parking.

3.2 A Transport Assessment (TA) was submitted as part of the planning application and the traffic associated with the site does not cause capacity issues at the site access or wider network.

3.3 Parking will be provided in accordance with current standards, including Electric Vehicle (EV) charging and the site has reasonable links with public transport. A Framework Travel Plan is included with the application, with the intention of reducing car journeys associated with the site. Conditional approval is recommended.

3.4 Conditions:

3.5 The scheme for access shall be laid out in accordance with the approved plans. This access shall not be used for any other purpose and retained thereafter.

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

3.6 The scheme for parking shall be laid out in accordance with the approved plans. These parking areas shall not be used for any other purpose and retained thereafter.

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

3.7 The scheme for Electric Vehicle (EV) charging shall be laid out in accordance with the approved plans. This EV charging shall not be used for any other purpose and retained thereafter.

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

3.8 The scheme for the provision of and storage of refuse shall be laid out in accordance with the approved plans and prior to the occupation. These refuse storage areas shall not be used for any other purpose and retained thereafter.

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

3.9 The scheme for the provision of undercover, secure cycle provision shall be laid out in accordance with the approved plans and prior to the occupation. This cycle provision shall not be used for any other purpose and retained thereafter.

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

3.10 No part of the development shall be occupied until details of a parking management strategy has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

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

3.11 No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development. If the agreed measures are not operational, then no vehicles shall exit the development site onto the public highway.

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

3.12 Informatives:

3.13 The applicant is advised that the vehicular access to the highway must be constructed by or to the satisfaction of the Local Highway Authority. Contact [Highways@northtyneside.gov.uk](mailto:Highways@northtyneside.gov.uk) for further information.

3.14 The applicant is advised that a licence must be obtained from the Local Highway Authority before any works are carried out on the footway, carriageway verge or other land forming part of the highway. Contact [Highways@northtyneside.gov.uk](mailto:Highways@northtyneside.gov.uk) for further information.

3.15 The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to pedestrians and drivers, and are a source of danger to children, elderly people and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact [Highways@northtyneside.gov.uk](mailto:Highways@northtyneside.gov.uk) for further information.

3.16 The applicant is advised that a license must be obtained from the Highways Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact [Streetworks@northtyneside.gov.uk](mailto:Streetworks@northtyneside.gov.uk) for further information

3.17 The applicant is advised that no gates may project over the highway at any time. Contact [New.Developments@northtyneside.gov.uk](mailto:New.Developments@northtyneside.gov.uk) for further information.

3.18 The applicant is advised to contact Highway Maintenance to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact [Highways@northtyneside.gov.uk](mailto:Highways@northtyneside.gov.uk) for further information.

3.19 The applicant is advised that requests for Street Naming & Numbering must be submitted and approved by the Local Highway Authority. Any complications, confusion or subsequent costs that arise due to non-adherence of this criteria will be directed to applicant. Until a Street Naming and Numbering & scheme been applied for and approved by the Local Highway Authority it will not be officially registered with either the council, Royal Mail, emergency services etc. Contact [Streetworks@northtyneside.gov.uk](mailto:Streetworks@northtyneside.gov.uk) for further information.

### 3.20 Sustainable Transport Team

3.21 This application is a Full planning application for the construction of a new medical centre with associated access and landscaping works on land to the east of Newsteads Drive, Whitley Bay, North Tyneside to replace the existing Beaumont Park Medical Centre at Hepscott Drive, Whitley Bay. The application includes a Transport Statement which identifies actions, measures and initiatives to promote sustainable travel to the site.

3.22 Due to the size of the development, we would not require a travel plan bond or a monitoring fee. However, it was noted that the location of the cycling



provision was at the back of proposed car parking spaces rather than adjacent to the entrance to the medical centre. In line with NTC's Transport and Highways SPD, all developments will need to provide appropriately positioned, well signs, direct and convenient access to secure cycling parking facilities.

### 3.23 Recommendation: Conditional Approval

#### 3.24 Condition:

Notwithstanding the details submitted, the scheme for storage of cycles shall be laid out in

accordance with the approved plans and prior to the occupation of the development. These

storage areas shall not be used for any other purpose and shall be retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy

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

#### 3.25 Local Lead Flood Authority

3.26 I have carried out a review of the flood risk and drainage proposals detailed in planning application 23/01265/FUL. I can confirm in principle that I have no objections to the proposals as the site is at low flood risk though its position is located adjacent to an existing surface water flow path. To mitigate against the risk of internal flooding from this flow path the building will have a finished floor level set at 300mm above the estimated flood level to reduce the potential flood risk posed to the site.

3.27 The applicant is proposing to provide surface water attenuation within the development site via the use of a rain garden, permeable paving in the car parking areas and surrounding footpaths and an underground storage tank. These attenuation features will store surface water within the development for a 1 in 100 year rainfall event including a 45% allocation for climate change. To reduce the impact this development will have on the local sewer network the surface water from the development will have a restricted discharge rate of 2.6 l/s and will be controlled by a flow control chamber before it discharges into the adjacent Northumbrian Water surface water sewer.

3.28 I would advise that in order to retain all surface water within the site a drainage channel or similar drainage feature will need to be installed across the site entrance in order to capture and control any surface water leaving the site and impacting on Newsteads Drive. This additional drainage can be show in a detailed drainage design drawing which can be provided via a suitable condition placed on the application if approved.

#### 3.29 Environmental Health (Pollution)

3.30 Thank you for consulting Pollution with regard to this application for the construction of a new medical centre with associated access and landscaping works on land to the east of Newsteads Drive, Whitley Bay, North Tyneside to replace the existing Beaumont Park Medical Centre at Hepscoot Drive, Whitley Bay. The premises are located within an area with residential properties located

immediately to the north and south of the site. There is a supermarket located to the west of the site.

3.31 I would have concerns with regard to potential noise from plant and equipment installed at the premises and noise from the associated car park of the new medical centre.

3.32 I have reviewed the noise assessment which has been provided to assess the potential noise from the external plant and the associated noise impacts of the car park. Noise from plant has been calculated to be - 5 dB below the existing background noise level which was calculated as 48 dB LA90. The noise assessment assumes that the external plant and car park will be operational during the night period. If this is not the case then further noise monitoring will be required to assess the impacts during the night period. The predicted noise arising from the car park was determined to give rise to negligible impacts.

3.33 If planning consent is to be given, I would recommend the following conditions are attached to any approval for development to ensure noise and lighting levels are controlled.

3.34 EPL01; EPL02; HOU03 To those on the application; HOU04

3.35 Prior to the installation of external plant and equipment at the premises a noise scheme must be submitted that details the noise rating level from the proposed combined plant and equipment to ensure that the background noise levels are not exceeded, the existing background noise levels are provided in Table 1 that need to be met at the nearest facade of residential properties, as detailed in noise report reference 10946.1A.

Table 1

NSR location description LA90	Assessment period	Background dB
Nearest Sensitive Receptor Chathill Close & Fairways	Daytime 1 hour (07:00 - 23:00 hrs)	48

3.36 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.

3.37 It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.

3.38 NOI02

3.39 Deliveries and collections must not be permitted to the premises between 23:00 and 07:00 hours.

3.40 LIG01; SIT03; REF1; REF2

### 3.41 Contaminated Land Officer

3.42 The site lies within a Coal Referral Area and may be at risk from mine gas. The Phase 1 report submitted states:

Completion of appropriate geotechnical laboratory classification testing, dependant on the soils / deposits encountered below the site area.

Completion of confirmatory laboratory contamination screening on selected samples of soil recovered from site to assess the suitability of these deposits for remaining on site. The samples of soil collected should also be forwarded to a UKAS and MCERTS accredited laboratory Production of a factual and interpretive Phase II Ground Investigation Report, including a Ground Contamination & Ground Gas Risk Assessments for Human Health and Controlled Waters.

3.43 Based on the above information the following should be attached:

Con 004; Con 005; Con 006; Con 007; Gas 006

### 3.44 Biodiversity Officer & Landscape Architect (Joint Comments)

3.45 This full planning application is submitted for the proposed construction of a new medical centre (Use Class E(e)) with associated access and landscaping works on land to the east of Newsteads Drive, Whitley Bay, to replace the existing Beaumont Park Medical Centre at Hepscott Drive, Whitley Bay.

3.46 Open Space:

The site under consideration, as designated in the North Tyneside Local Plan 2017, is officially classified as open space, which provides green areas for sport, wellbeing and recreation for residents and the broader community. According to the 'Planning Statement and Open Space Assessment', one of the core aspects of the application is to ensure that 84% of the existing open space remains accessible to the public, with the 16% reduction in open space to be mitigated through landscape enhancements both within and around the new medical centre, as demonstrated on the landscape strategy plans.

3.47 Hedgerows:

The proposed landscape plan has detailed how the existing vegetation, such as the existing mature mixed hedgerow and hedgerow trees to Chathill Close will be retained and protected in accordance with BS5837: 2012, such as using permeable paving for the adjacent parking bays. The landscape strategy further details the addition of a new, native edge mix to improve the existing connectivity of the existing mixed hedgerow and hedgerow trees to the northern end of the site and to enhance and improve the adjacent open space.

3.48 Following consultee comments from the pre-application stage, the on-site landscape strategy for the proposed medical centre is designed to provide an adequate buffer between Newsteads Drive, the adjacent residential spaces, and the surrounding open green space. The proposed native-mix hedgerow now envelopes around the entire southern and eastern boundary of the car park and

medical centre, widening on the western-side of the site as an adequate buffer to improve the visual impact of the development.

#### 3.49 Landscape Strategy:

The landscape strategy details the construction of a rain garden to the west of the medical centre with indicative species, on the inside of the hedgerow. The rain garden is an opportunity to improve the overall visual amenity of the development in corroboration with a positive ecological impact and a point of temporary flood alleviation for surface water. Six new trees will be planted on the application site. Liquidambar is proposed (not native) but if a single specimen tree, one would be acceptable.

#### 3.50 Arboricultural Impact Assessment:

The arboricultural impact assessment (AIA) identified four potential conflicts between the proposed development and the impact on existing trees in and around the site. The AIA has sufficiently examined these conflicts and provided mitigation/ countermeasures across the site.

3.51 Potential conflict 1 examines the loss of twelve category C trees on site to allow construction. The AIA identified that due to the quality of the trees, design would not ordinarily be compromised and in turn, the offsite enhancements provide adequate mitigation for the immediate visual impact post tree removal - this is deemed acceptable.

3.52 Potential conflict 2 identifies potential damage to retained trees and bushes on the northern boundary. The AIA explains that the encroachment close to the small trees and shrubs are unavoidable (such as minor pruning of overhanging foliage) however, all other trees and bushes to this northern boundary can be protected during the construction process through the installation of appropriate protective fencing (in accordance with BS5837) and by maintaining the exclusion zones shown in the report. The anticipated damage to a portion of the shrubs and trees to the northern boundary of the site is deemed acceptable in this instance as in the long term, no significant conflict is expected between the development and trees/shrubs.

3.53 Potential conflict 3 highlights the risk of damage to tree roots due to the installation or replacement of services. The AIA explains that no new service runs will be located within the retained tree root protection areas and in turn, all proposed works will comply with NJUG (National Joint Utility Group) recommendations. This is deemed an acceptable mitigative approach to the proposed development.

3.54 Potential conflict 4 identifies risk to damaging trees due to post-development landscaping- this is because of excessive landscaping and soil changes near retained trees. To minimise the risk of damage to the trees, landscaping work within the root protection areas will be kept to a minimum, tractor mounted rotavation or other heavy mechanical cultivation must not be used within the root protection areas of retained trees. The AIA suggests that all cultivation within the root protection areas will be carefully undertaken by hand or pedestrian controlled light machinery to avoid root damage. These countermeasures are deemed acceptable.

### 3.55 Trees as enhancement (off site):

Whilst the application details a loss of 12 small trees, the proposed landscaping strategy adequately mitigates for the loss of these trees through the re-planting of 33 new trees both on and adjacent to the site. Whilst there have been no tree species identified, a condition can be applied to ensure native trees are planted in appropriate locations. Following consultee comments from the pre-application stage, additional trees have strategically been incorporated into the off-site enhancements along the southern boundary of the site, to the northern edge of the footpath. These additional trees are a further opportunity to enhance the visual and ecological qualities of the surrounding park without compromising the existing open space.

### 3.56 Ecology:

The scheme will result in the loss of amenity grass of low ecological value and some trees within the development site to accommodate the new medical centre. Landscaping proposed as part of the development includes 6no. native standard trees, a rain garden as part of the drainage strategy, ornamental planting and amenity grass. A Biodiversity Net Gain Assessment and Metric 4.0 (Dendra Consulting Nov 2023) has been submitted to support the application. This indicates that a biodiversity net gain cannot be achieved on site (net loss of -76%) and therefore additional landscape mitigation is required off site to deliver a net gain. The LPA has agreed that net gain can be delivered on amenity space adjacent to the development site which currently comprises amenity grass and trees. Off-site landscaping includes 27no. native standard trees, 590m<sup>2</sup> of species rich grassland, 410m<sup>2</sup> of mixed native scrub and a 50 linear metres of new native hedgerow. This will result in an 18.84% net gain in biodiversity which meets Local Plan Policy and the NPPF and is considered acceptable.

3.57 A Landscape and Ecology Management & Monitoring Plan (LEMMP) will need to be submitted to demonstrate how the habitats will be managed both on and off site and to detail appropriate monitoring and reporting of the net gain habitats over a 30-year period. This will need to be conditioned as part of the application. The applicant will manage and monitor the habitats created on-site and will also monitor and report on the off-site net gain habitats, however, North Tyneside Council has agreed to take on the management of the off-site habitats adjacent to the medical centre for the 30-year period with a financial contribution agreed with the Local Authority to fund this, which will be secured via a S106 legal agreement.

3.58 The following conditions should be attached to the application:-

#### CONDITIONS:

##### 3.59 Bird & Bat Boxes

2no. integrated Swift bricks, such as the Manthorpe Swift brick (<https://www.nhbs.com/manthorpe-swift-brick>), or similar, shall be installed on the north-eastern or north-western aspects of the new building at a minimum of 4- 5 metres height. Details of the locations and specifications shall be submitted on a plan to the LPA within 4 weeks of development commencing on site and shall be installed in accordance with the approved details.

3.60 The provision of 2 integrated bat boxes as recommended in section 6.7.1 of the Ecological Impact Assessment (EclA) Report (Dendra Consulting October 2023) will be provided within the new building. Details of the locations and specifications of the integrated boxes shall be submitted on a plan to the LPA within 4 weeks of development commencing on site and shall be installed in accordance with the approved details

3.61 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.

### 3.62 Hedgehogs

All works shall be undertaken in accordance with the hedgehog working methods set out in section 6.5.1 of the Ecological Impact Assessment (EclA) Report (Dendra Consulting October 2023)

3.63 Hedgehog gaps (13cmx13cm) will be provided within any new fencing associated within the scheme. A Plan showing the number, location and specification of the hedgehog gaps shall be submitted to the LPA for approval prior to the installation of any fencing.

### 3.64 Lighting

External lighting will be low level, avoiding use of high intensity security lighting and will be designed in accordance with the BCT & Institute of Lighting Professionals (ILP) Guidance Note 08/23 "Bats & Artificial Lighting in the UK" <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

### 3.65 Landscape Plan (on-site):

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 for on-site landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be in accordance with the details of the BNG Assessment and Metric 4.0 (Dendra Consulting Nov 2023) and include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth). The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. No development shall take place until a schedule of landscape maintenance for a minimum period of 30 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

### 3.67 LEMMP (on-site):

## Landscape & Ecology Management & Monitoring Plan

Prior to the commencement of any development, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for all landscaping/habitat creation on-site, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of site preparation, long-term design objectives, 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 details of the following:-

- Details on the creation, enhancement and management of all habitats identified within the Net Gain Report/Biodiversity Metric (Dendra Consulting Nov 2023) and approved on-site Landscape Plans/Strategies. Management prescriptions shall relate directly to the targeted criteria required to meet the specific habitat condition assessments set out in the BNG Report
- Survey and monitoring details for all for all target habitats identified within the Net Gain Assessment Report and Metric 4.0 (Dendra Consulting Nov 2023). 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 to ensure the habitats are reaching the specified target condition. 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.
- Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report/Biodiversity Metric.

### 3.68 Protection of retained trees/shrubs/hedges:

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.

### 3.69 Tree Protective Fencing:

Prior to the commencement of any site clearance works, the protective fencing shall be erected according to the locations marked within the Arboricultural Impact Assessment, MS & TPP document. The type, height and position of protective fencing to be erected around each tree or hedge within or adjacent to and overhang the site shall be in accordance with the fencing shown in the Arboricultural Impact Assessment, MS & TPP document.

3.70 Any alternative tree protection fencing to be used on site prior to and during construction shall be agreed in writing by the Local Planning Authority. Each tree group /hedgerow 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.

#### 3.71 Implementation of Tree Protection during development:

All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, landscaping, 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'.

#### 3.72 Hand Digging Near Trees:

All works involving excavation of soil, including foundations and the laying of services, within the RPA's of the trees to be retained on the site shall be dug by hand or suitable method such as an air spade and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority. Confirmation of the proposed working method is to be submitted for approval.

#### 3.73 Tree Pruning works:

All 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, details of which are to be submitted for approval.

#### 3.74 Construction Method Statement:

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

#### 3.75 Arboricultural supervision:

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 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.

#### 3.76 Legal Agreement Clauses (for off-site BNG):

#### 3.77 Landscape Plan (off- site)

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 for off-site landscaping shall be submitted to and approved in



writing by the Local Planning Authority. The landscape scheme shall be in accordance with the details of the BNG Assessment and Metric 4.0 (Dendra Consulting Nov 2023) and include details and proposed timing of all new tree, shrub, wildflower planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 12-14cm girth). The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. No development shall take place until a schedule of landscape maintenance for a minimum period of 30 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.

### 3.78 Landscape & Ecology Management & Monitoring Plan

Prior to the commencement of any development, a detailed 30 year 'Landscape and Ecological Management and Monitoring Plan' (LEMMP) for all landscaping/habitat creation on the off-site compensation land, shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of site preparation, long-term design objectives, 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 details of the following:-

- Details on the creation, enhancement and management of all habitats identified within the Net Gain Report/Biodiversity Metric (Dendra Consulting Nov 2023) and approved off-site Landscape Plans/Strategies. Management prescriptions shall relate directly to the targeted criteria required to meet the specific habitat condition assessments set out in the BNG Report
- Survey and monitoring details for all for all target habitats identified within the Net Gain Assessment Report and Metric 4.0 (Dendra Consulting Nov 2023). 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 to ensure the habitats are reaching the specified target condition. 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.
- Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report/Biodiversity Metric.

3.79 North Tyneside Council will be responsible for the management and maintenance of habitats indicated on the off-site landscape plan for a period of 30 years. The developer (insert name) will be responsible for the monitoring and reporting of net gain habitats off-site as set out in the LEMMP and providing Net

Gain Assessment Reports to the LPA at the time intervals set specified in the Plan. The LEMMP will clearly set out the separate responsibilities for: 1) Management and; 2) Monitoring & Reporting

### 3.80 Financial Contribution

A financial contribution of £41,240 towards the management of off-site net gain habitats shown on plan x for a period of 30 years will be paid to the LPA with the 1st instalment of £20,000 to be paid within 3 months of development works commencing on site and the 2nd instalment of £21,240 to be paid on completion of the scheme.

## 4.0 Design Officer

4.1 The application is located on existing open space. The provision of open space is an essential part of successful places where residents have easy access to areas for recreation and play. Open space can make a significant contribution to quality of life. New development should ensure that there is not a negative impact on the amount of amenity open space.

4.2 The proposed building would be two storeys, have a mono pitch roof and have a contemporary design and materials. A traditional pitch roof would sit more comfortably with the character of the surrounding area, however the roof design minimises the overall height of the building.

4.3 The building will be viewed from all sides and has been designed with active frontages. The elevation design and materials help to reduce the overall building mass. Internally, the building is designed to meet NHS standards.

4.4 There are a number of vents on each elevation. These are located on the ground and first floors and detract from the design quality of the scheme. The vents, as shown on the elevations, are unacceptable, however it has been agreed that their detailed design and location can be conditioned.

4.5 The application would require the removal of trees which contribute towards the character of the area. Mitigation in the form of new tree planting and shrubs is proposed.

4.6 A new car parking area is proposed to the northern part of the site. A mixture of surface materials should be used to provide an attractive area of hard landscaping. This should be conditioned.

### 4.7 Suggested Conditions:

ENC01 Means of Enclosure Details

MAT03 Materials Building Schedule

MAT04 Materials Surfaces Schedule

LAN005 Landscape Scheme Implementation Period

DES01: External Features

Detailed design of bin store

Detailed design and location of vents

Detailed design of cycle shelter

## 5.0 External Consultees

### 5.1 The Coal Authority

5.2 The Coal Authority's Planning & Development Team concurs with the recommendations of the Phase 1 Preliminary Contamination Risk Assessment & Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

5.3 As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; 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.

### 5.4 Northumbria Police

5.5 Northumbria Police have no objection to the development and welcome the improvement of health services in the North East. The development as the health centre does not have a pharmacy attached to the build this possibly reduce the potential crimes at the development.

With that in mind the personal safety of the medical staff and other staff members need to be paramount.

5.6 All the communal areas should have adequate CCTV coverage covering the corridors and waiting areas and the reception areas. We recommend that the easily accessible windows be to one of the following standards:

PAS 24:2022

LPS 1175: Issue 8:2018 Security Rating 1/A1

LPS 2081: Issue 1.1:2016 Security Rating A

STS 202: Issue 10:2021 Burglary Resistance 1

5.7 The windows should be to the standard for moderate use and we recommend that they also have the following standard:

BS 6375 Windows – 10,000 cycles (Classification extracted from BS EN 12400)

All ground floor and easily accessible glazing must incorporate one pane of laminated glass or glass tested to BS EN 356:2000 Glass in building. Security

glazing - resistance to manual attack to category P1A unless it is protected by a roller shutter or grille.

#### 5.8 External door sets:

We recommend external door sets shall be certified to one of the following minimum police preferred standards:

PAS 24:2022, or

STS 201: Issue 12:2020, or

LPS 1175: Issue 7.2:2014 Security Rating 2+, or

LPS 1175: Issue 8:2018 Security Rating B3+, or

STS 202: Issue 10:2021 Burglary Resistance 2, or

LPS 2081: Issue 1.1:2016 Security Rating B, or

STS 222: Issue 1:2021

Doorsets – 50,000 cycles (Classification extracted from BS EN 12400)

5.9 Alternatively, the accessible doors and windows can be secured using roller shutters to the following standard:

Grilles and shutters can provide additional protection to both internal and external doors and windows. The minimum standard for such products is certification to:

LPS 1175: Issue 7 Security Rating 1, or

LPS 1175: Issue 8 Security Rating A1, or

STS 202 Burglary Resistance 1

These recommendations are to encourage the development to be as much of a harder target for criminals and increase the risk compared to the potential rewards.