

Application No: 19/01566/FUL

Author: Will Laing

Date valid: 22 November 2019

☎: 0191 643 6320

Target decision date: 21 February 2020

Ward: Collingwood

Application type: full planning application

Location: Unit 3 Cobalt 3, Silver Fox Way, West Allotment, NEWCASTLE UPON TYNE, NE27 0QJ

Proposal: Change of use from office (B1/B8) to Hotel (C1) together with a two storey extension onto the existing building to create an additional 249m2 of floorspace; improvements to the existing elevations with associated access and parking

Applicant: ASM4 Ltd, Mr Carruthers Unit 3.1 Cobalt 3 Silver Fox Way West Allotment NE27 0QJ

Agent: Curtis PDC, Ms Samantha Curtis Arden House Newcastle NE3 3LZ

RECOMMENDATION:

It is recommended that the Committee:

- a) indicate they are minded to approve the application subject to:
 - i) the expiry of the consultation period and no further representations being received which justify reconsideration by the Committee;
 - ii) the conditions set out below;
 - iii) the addition or omission of any other conditions considered necessary; and
 - iv) the submission of a unilateral undertaking relating to Coastal Mitigation; and
- b) grant delegated powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to determine are:

- Whether the principle of the development is acceptable;
- Whether there are any sequentially preferable sites;

- The impact on traffic, parking and highway safety;
- Impact on the amenity of surrounding occupiers;
- Impact on the character and appearance of the site and the surrounding area;
- The impact on biodiversity; and
- Other issues.

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

2.0 Description of the Site

2.1 This application refers to a two-storey office block located within the Cobalt Business Park. The site is located within an area dominated by office development, with the exceptions of a hotel and the West Allotment Country Park to the north and a small series of retail and food uses to the west. The New York Industrial Estate lies to the east.

2.2 The site has the main entrance and car park to the southwest corner of the site and the unit has soft landscaping along the north, east and south boundaries.

3.0 Description of the Proposal

3.1 This application seeks full planning permission for a change of use from offices to a an 80No bed hotel. The proposal includes a two-storey side extension to the south wing of the building to create an additional 249sqm of floor space and improvements to the existing elevations with associated access and parking.

3.2 The proposed extension would be sited to the southern elevation of the west wing of the building and would be approximately 14m wide, projecting 10m from the south elevation and would match the height of the existing building with an aluminium roof finish to match the existing.

3.3 The proposed extension would be set back from the west elevation by 0.8m and back from the east elevation by 2.2m. The proposal would include an external emergency staircase to the southern elevation.

3.4 The building currently has large sections of glazing across each floor which are unsuitable for the proposed hotel layout. The proposal seeks alterations to the reduce the glazed opening which would be treated with buff render and would contain grey, aluminium framed glazing.

3.5 The proposed main entrance would face into the existing car park, in the centre of the building facing southeast. The hotel would include a foyer and bar-restaurant on the ground floor, with the proposed bedrooms across the ground and first floor.

3.6 The proposed hotel would have 80No car parking spaces, 4No of which would be disabled bays. There would be a bike shelter for 10No bicycles.

3.7 The proposed refuse store and bicycle shelter would be located to the east of the existing building to the south of the existing substation.

3.8 The proposal would retain the existing landscaping buffers and car parking and landscaping but would replace the existing parking to the south of the west wing with block paving to accommodate the extension and install a delivery bay along the west elevation of the building. The proposed delivery bay would use tarmac to match the existing road and the block paving would match the existing.

4.0 Relevant Planning History

15/01785/ADV

Proposed 2no non illuminated folded aluminium panel signs.

Permitted 18.01.2016

01/02413/ADV

Erection of 3no. advertising signs, 2no. signs being internally illuminated.

Permitted 08.02.2002

00/02064/ADV

Erection of 2no. internally illuminated advertising panels and 1no. floodlit double sided advertising sign.

Permitted 14.02.2001

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (February 2019)

6.2 Planning Practice Guidance (As amended)

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

PLANNING OFFICERS REPORT

Main Issues

7.1 The main issues for Members to determine are:

- Whether the principle of the development is acceptable;
- Whether there are any sequentially preferable sites;
- The impact on traffic, parking and highway safety;
- Impact on the amenity of surrounding occupiers;
- Impact on the character and appearance of the site and the surrounding area;
- The impact on biodiversity; and
- Other issues.

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

7.3 Principle of Development

7.4 The NPPF confirms that local authorities should attach significant weight to the benefits of economic and housing growth and enable the delivery of sustainable developments. It states that achieving sustainable development means that the planning system has three overarching objectives, namely an economic objective, a social objective and an environmental objective.

7.5 Policy S1.1 'Spatial Strategy for Sustainable Development' seeks to ensure North Tyneside's requirements for homes and jobs can be met with adequate provision of infrastructure, and in a manner that enables improvements to quality of life, reduces the need to travel and responds to the challenges of climate change, the Spatial Strategy for the location and scale of development is that:

a. Employment development will be located:

- i. within the main urban area; and,
- ii. at areas easily accessible to residents by a range of sustainable means of transport; and,
- iii. where businesses may benefit from the Borough's excellent national and international transport connections - including the strategic road network and opportunities provided by the River Tyne.

c. Most retail, and leisure activities will be focused:

- i. within the main town centres of Wallsend, North Shields and Whitley Bay, as well as Killingworth town centre, taking advantage of the excellent accessibility, services and infrastructure invested in those locations.

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

7.7 Policy DM1.3 'Presumption in Favour of Sustainable Development' states the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the development management process and application of the policies of the Local Plan. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

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

7.8 Policy AS2.6 'A19(T) Economic Corridor' states that the Council will promote and support further development and investment in a range of B1, B2 and B8 employment activities across the A19(T) Economic Corridor, as identified on the Policies Map, and the continued diversification of North Tyneside's economy through delivery of small, medium and large scale office developments.

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

7.10 Policy S2.2 'Provision of Land for Employment Development' seeks to ensure an attractive and flexible supply of employment land is available to deliver the Council's strategy for economic prosperity and job growth and investment a total of 822ha of currently occupied or available employment land is recognised of particular value to the economy. This policy identifies the 150ha land available for development to 2032.

7.11 Policy DM2.3 'Development Affecting Employment Land and Buildings' states that the Council will support proposals on employment land, as shown on the Policies Map, for new or additional development for uses within use classes B1, B2 or B8 or that which is deemed ancillary. Proposals on identified employment land will be permitted where these proposals would not result in the unacceptable loss of operating businesses and jobs and would not result in an excessive reduction in the supply of land for development for employment uses.

7.12 It is acknowledged that the proposal would be an identified main town centre use in an area identified as employment land in the Local Plan 2017 and the proposal would not wholly comply with policy AS2.6 which seeks to prioritise business and industrial uses within the A19(T) economic corridor. The explanatory text to Policy DM2.3 seeks to enable flexibility in the use and development of employment land whilst ensuring that developments support the overall growth and prosperity of North Tyneside.

7.13 The building is currently occupied on short-term nil rent agreement with a clothing charity company, to keep the building in good repair. The building owner has marketed the unit for lease for a period exceeding ten years with 5 agents without success.

7.14 The site is approximately 0.7ha and is identified as employment land in Policy S2.2 of the Local Plan, but within the overall allocation (E021) there is still 4.72ha of available employment land (Employment Land Review 2019) that has yet to be developed. The loss of this site as employment land is not considered to be an excessive reduction in supply of land for employment uses, taking into account the overall amount, range and choice available for the remainder of the plan period.

7.15 The application site has been marketed for a period of 10 years without success and Cobalt 3 (units 1, 2 and 3) remain under capacity and as such the loss of the office floor space would not result in an unacceptable loss of employment use floor space. In addition to this, the proposal would create 16No full time jobs and seeks permission for a budget hotel to support the wider Cobalt Business Park.

7.16 A previous application (10/01510/FUL) for a 125 bed hotel on an adjacent site within the Cobalt Business Park was approved in 2011, but the hotel aspect of development has never been completed. The development of the site for a hotel would be considered to have a positive contribution towards the overall

economic growth of the business park which is one of the key areas of office development within the borough and within the A19 (T) economic corridor.

7.17 The proposed hotel includes a bar and restaurant for hotel guests. The bar and restaurant will be operated by the Travel Lodge and the floor layout shows it is part of the overall use of the premises, as such the bar and restaurant are considered to be ancillary to the proposed hotel use.

7.18 It is acknowledged that the proposal does not wholly comply with policy AS2.6 due to the loss of employment land. Having regard to the vacancy and the proposal to use the hotel to support the business park, it is officer advice that the proposal would comply with policy DM1.3, DM2.3 and S1.4 of the North Tyneside Local Plan 2017.

7.19 Sequential Assessment

7.20 NPPF paragraph 86 stipulates that local planning authorities should apply a sequential test to planning applications for main town centre uses, which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.21 Paragraph 90 of NPPF states that where an application fails to satisfy the sequential test it should be refused.

7.22 National Planning Practice Guidance (NPPG) advises that the application of the test will need to be proportionate and appropriate to any given proposal. NPPG also states that there is a requirement to demonstrate flexibility. If there are no suitably sequentially preferable locations, the sequential test is passed.

7.23 Policy DM3.4 'Assessment of Town Centre Uses' states that proposals for main town centre uses on sites not within the town centres will be permitted where they meet the following criteria:

- a. In order of priority, there are no sequentially preferable sites in-centre, then edge of centre, and then existing out-of-centre development sites previously occupied by appropriate main town centre uses that are readily accessible to Metro stations or other transport connections to the town centres and then finally existing out-of-centre locations;
- b. The suitability, availability and viability of sites should be considered in the sequential assessment, with particular regard to the nature of the need that is to be addressed, edge-of-centre sites should be of a scale that is appropriate to the existing centre;
- c. There is flexibility in the business model and operational requirements in terms of format; and
- d. The potential sites are easily accessible and well connected to town centres. Proposals for retail development outside a town centre will require an impact assessment where they would provide either:
 - e. 500ml gross of comparison retail floorspace, or more; or
 - f. 1,000ml gross of retail floorspace for supermarkets/superstores, or more. The proposal would be supported when the necessary Impact Assessment has shown that:

g. The proposal would have no significant adverse impacts, either individually or cumulatively, on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

h. The proposal would have no significant adverse impact on the vitality and viability of a town centre, including consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

7.24 The applicant has submitted a sequential test to accompany the application. The applicant has set out the following flexible criteria for the proposal to viably operate:

- Floorspace between 2,564.45sqm to 3,468sqm.
- Vacant building (construction costs would make the development unviable).
- Close proximity of business and offices.
- Car parking ratio of one parking space per bedroom.
- Close to transport links, including major A roads.

7.25 NPPG does state that there is a requirement to demonstrate flexibility. NPPG also states that promoting new development on town centre locations can be more expensive and complicated than building elsewhere and that local planning authorities need to be realistic and flexible in applying the test.

7.26 The applicant has reviewed eight currently vacant buildings across the town centres and edge of centre sites at Killingworth, North Shields, Wallsend and Whitley Bay. Each of these sites have been discounted on multiple issues including unviable size, unavailability, distance from large businesses and offices.

7.27 Several sites in Whitley Bay were further discounted due to the derelict condition of buildings and that several of the units looked at were hotels that have closed due to use being unviable.

7.28 It is the opinion of the case officer that the applicant has demonstrated flexibility of the proposal through considering a range of floorspaces and has considered a range of sites within and adjacent to the borough's existing town centres and edge of centre sites.

7.29 It is officer advice that there are no sequentially viable sites and as such the proposal would comply with NPPF, NPPG and policies S1.1, DM1.3, S5.1, S2.2 and DM3.4 of the North Tyneside Local Plan 2017.

7.30 Impact on Parking and Highway Safety

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

7.32 Local Plan Policy DM7.4 'New Development and Transport' states 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:

7.33 Local Development Document (LDD) 12 'Transport and Highways' sets out the parking and cycle standards for new developments. With regards to this development the proposal would require 1 space per bedroom for guests, 1 space per 5 bedrooms for staff and 1 disabled space per 20 spaces.

7.34 There are currently 135 existing parking spaces at the site. The proposal seeks to allocate 76No parking spaces and 4No disabled spaces for guests. The proposal would also include the installation of a delivery lay-by to the west of the building. The applicant has submitted a framework travel plan to support the proposal.

7.35 The Highways Network Manager has been consulted and has advised that parking has been provided to suit the needs of the site and the traffic generation during network peaks for the proposed use is less than that by the current office use. As such the Highway Network Manager has no objection to the application subject to conditions to ensure a construction method statement, car park management plan, refuse plan, cycle parking, electric vehicle parking and taxi and private hire plan are submitted and implemented prior to the occupation of the development.

7.36 The application site has good access to public transport with links to the nearby Northumberland Park metro station. The office facilities have an existing bin store and cycle stands have been shown the proposed site plan. Officers advise that the conditions requested by the Highway Network Manager for further details on refuse management are maintained to ensure sufficient details are submitted to accommodate the proposed change of use and extension.

7.37 Members need to determine whether the proposal is acceptable in terms of its impact on parking and highway safety. Having regard to the above, it is officer advice that the proposal complies with policy DM7.4 of the Local Plan and LDD 12 Transport and Highways.

7.38 Amenity and Impact on Neighbouring Uses

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

- a. Contribute to the mitigation of the likely effects of climate change, taking full account of flood risk, water supply and demand and where appropriate coastal change;
- b. Be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses;

- c. Make the most effective and efficient use of available land;
- d. Have regard to and address any identified impacts of a proposal upon the Borough's heritage assets, built and natural environment; and,
- e. Be accommodated by, and make best use of, existing facilities and infrastructure, particularly in encouraging accessibility and walking, cycling and public transport, whilst making appropriate provision for new or additional infrastructure requirements

7.40 Policy DM2.3 states that proposals on identified employment land or other buildings in use-class B1, B2 or B8, for uses that could conflict with the development and regeneration of sites for economic development, will be permitted where these proposals would not amongst other matters have an adverse impact upon the amenity and operation of neighbouring properties and businesses.

7.41 Policy DM5.19 states that development proposals that may cause pollution either individually or cumulatively will be required to incorporate measures to reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment.

7.42 The proposed use would be unlikely to produce any significant levels of noise outside of the construction period and the nature of the proposed use would be unlikely to impact on the amenity of the occupiers of the neighbouring offices.

7.43 The nearest residential properties are a significant distance from the site and separated from the site by a landscape buffer and part of an industrial estate and as such the proposal would not have a significant impact on residential amenity.

7.44 The proposed extension would be located at the southwest corner of the existing building, which would have restricted views from the north, a landscape buffer to the south and would be set approximately 70m away from the offices to the west and as such the proposal would not have a significant impact on the light or outlook from these buildings.

7.45 It is acknowledged that there is an existing industrial estate to the east with the nearest industrial unit set approximately 150m away. The application site is screened from the industrial unit by a landscape buffer.

7.46 While there proximity of the industrial park is noted, the applicant has submitted a noise assessment that demonstrates the bedrooms have an internal noise level of 30dB, which would ensure that the customers of the hotel would not experience any unacceptable noise disturbance and as such would not lead to noise complaints that would potentially jeopardise the operation of the industrial area to the east.

7.47 The Environmental Health team have viewed the submitted documents and have no objections to the proposal, subject to conditions to ensure the development is carried out in accordance with the noise report, adequate odour

suppression systems and extraction details are installed for the proposed kitchen becoming operational.

7.48 Environmental Health have further requested conditions for the control of construction hours and details of the construction compound and a condition to ensure that no external tannoy is installed.

7.49 With the conditions requested by Environmental Health imposed, it is officer advice that the proposal would be acceptable in terms of impact on the amenities of the neighbouring uses and the proposal would ensure that residents of the proposed hotel would enjoy a suitable level of amenity.

7.50 Members need to determine whether the proposal is acceptable in terms of its impact on amenity. Having regard to the above, the proposal is considered to comply with policies S1.4, DM2.3 and DM5.19 of the North Tyneside Local Plan 2017.

7.51 Impact on the character and appearance of the site and the surrounding area

7.52 NPPF paragraph 127 states that planning decisions should ensure that developments amongst other matters will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development

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

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

7.55 The Council has produced an SPD on design quality. It states that the Council will encourage innovation in design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated. It also states that all new buildings should be proportioned to have a well-balanced and attractive external appearance.

7.56 The proposed alterations to the main building would reduce the amount of glazing and treat the elevation with render. The proposed extension would be set back from the front and rear building lines, giving a subservient appearance to the main building.

7.57 The existing building was one of the earliest offices built as part of the enterprise zone and does not reflect the large, predominantly glazed surfaces of later office units of the surrounding area. As such the proposed alteration would

not have a significant impact on the character and appearance of the host unit or the surrounding area.

7.58 Members need to determine whether the proposal is acceptable in terms of its impact on the character and appearance of the surrounding area. Having regard to the above, the proposal is considered to comply with the policy DM6.1 of the Local Plan 2017 and the Design Quality SPD 2017.

7.59 Impact on biodiversity

7.60 Paragraph 170 of NPPF states that decisions should minimise impacts on and provide net gains for biodiversity.

7.61 Policy DM5.2 'Protection of Green Infrastructure' states the loss of any part of the green infrastructure network will only be considered in exceptional circumstances:

7.62 Policy S5.4 'Biodiversity and Geodiversity' states the Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance.

7.63 Policy DM5.5 'Managing effects on Biodiversity and Geodiversity' states all development proposals should amongst other matters protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links.

7.64 Policy DM5.7 Wildlife Corridors states that proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the quality and connectivity of the wildlife corridor.

7.65 Policy DM5.9 'Trees, Woodland and Hedgerows' states that where it would not degrade other important habitats the Council will support strategies and proposals that protect and enhance the overall condition and extent of trees, woodland and hedgerows in the Borough.

7.67 The North Tyneside Coastal Mitigation SPD (July 2019) sets out the Coastal Mitigations Contributions required for new residential and tourism related development.

7.68 The application was submitted with an ecology appraisal and an arboricultural impact assessment. The applicant has submitted revised tree protection measures at the request of the Landscape Architect.

7.69 The application seeks to retain the existing landscaping and ornamental planning. The application site does not fall within a wildlife corridor or local wildlife site, although there is a wildlife corridor which runs to the south of the site. The submitted ecology appraisal states that the application site would not pose a significant risk to wildlife or protected species and has confirmed that no trees would be removed during the proposed works.

7.70 The Landscape Architect and Biodiversity Officer have raised no objections subject to the imposition of conditions to ensure that the appropriate tree

protection measures the provision of a suitable lighting scheme, provision of habitat piles, bat and bird boxes, and protective temporary fencing to the woodland are conditioned in line with the Ecological Assessment.

7.71 The submitted Ecological Appraisal stipulates that the application site has a negligible risk of birds, bats or great crested newts and would not result in any loss of habitat.

7.72 In addition to the above, the Biodiversity Officer has requested a condition for the submission of an Amphibian Statement and a lighting scheme prior to the commencement of development. While both conditions are necessary, it is the view of officers that the lighting scheme does not need to a pre-commencement condition.

7.73 In addition to the conditions above, the Biodiversity Officer and Ecological Appraisal have recommended the imposition of conditions for a scheme of 6No bird boxes and 6No bat boxes.

7.74 It is noted that the Biodiversity Officer has requested a condition for Coastal Mitigation Payments in accordance with the Coastal Mitigation SPD 2019. This requirement for Coastal Mitigation payments is acknowledged, however it is not appropriate to deal with financial matters by means of condition. The applicant is aware of the Coastal Mitigation payment and has agreed to make the contribution of £12,240 via a Unilateral Undertaking or S106 agreement.

7.75 Members need to determine whether the proposal is acceptable in terms of its impact on biodiversity and landscaping. With the above conditions imposed and subject to the legal agreement, it is officer opinion that the proposal would be acceptable in terms impact on biodiversity and landscaping and as such the proposal would comply with policies DM5.2, S5.4, DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan 2017.

7.76 Contaminated Land

7.77 Policy DM5.18 of the Local Plan states:

Where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which:

- a. Shows that investigations have been carried out to assess the nature and extent of contamination or stability issues and the possible effect it may have on the development and its future users, biodiversity, the natural and built environment; and
- b. Sets out detailed measures to allow the development to go ahead safely and without adverse affect, including, as appropriate:
 - i. Removing the contamination;
 - ii. Treating the contamination;
 - iii. Protecting and/or separating the development from the effects of the contamination;
 - iv. Validation of mitigation measures; and
 - v. Addressing land stability issues.

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

A Phase 2 Contaminated Land Investigation was submitted with the application.

7.79 The Contaminated Land Officer has reviewed the submitted Ground Investigation report and has stated that as the site is hardstanding and there will be no contaminant linkage, no conditions relating to contamination are required, however a gas investigation condition would still be required.

7.80 It is officer advice that the proposal would be acceptable in terms of Contaminated Land subject to the imposition of the gas investigation condition requested by the case officer.

7.81 Local Financial Considerations

7.82 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive in payment of the Community Infrastructure Levy (CIL). The proposal would result in additional business rates being received by the Council and this is a benefit of this proposal.

7.83 Conclusion

7.84 The application site is an office building, within an existing employment area. The site is allocated for employment use in the Local Plan and the proposal would meet the criteria within policy DM2.3 of the Local Plan 2017. The proposal would secure additional economic growth and this carries significant weight. There are no sequentially preferable sites. The proposal would not have an adverse impact on amenity, biodiversity or highway safety. It is officer advice that the planning permission should be granted subject to conditions and a legal agreement.

RECOMMENDATION:

It is recommended that the Committee:

- c) indicate they are minded to approve the application subject to:**
 - j) the expiry of the consultation period and no further representations being received which justify reconsideration by the Committee;**
 - v) the conditions set out below;**
 - vi) the addition or omission of any other conditions considered necessary; and**
 - vii) the submission of a unilateral undertaking relating to Coastal Mitigation; and**
- d) grant delegated powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.**

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the approved plans and specifications. For the avoidance of doubt, the approved plans are as follows:

- Application Form (dated 14.11.2019)
 - (0-) 07E: Proposed Site Plan (dated 08.11.2019)
 - (0-) 08G: Proposed Floor Plans (dated 08.11.19)
 - (0-) 09D: Proposed Elevation Sheet 1 (dated 30.10.2019)
 - (0-) 10D: Proposed Elevation Sheet 2 (dated 30.10.2019)
 - (0-) 17: Demise Plan (dated September 19)
 - (0-) 19: Proposed Views (Oct 19)
 - (0-) 20: Hard & Soft Landscaping (dated Nov 19)
 - 2019035-Z-96-L001 Rev P02: External Lighting Layout (dated 15.11.19)
 - Ecological Appraisal by E3 Ecology (dated 18.11.19)
 - 2019060-FRA-01: Flood Risk and Drainage Impact Assessment by Portland Consulting and Engineering (dated 08.11.2019)
 - 19-0642.01L: Geotechnical Investigation Letter by Arc Environmental Ltd (dated 14.11.2019).
 - D9711/01: Preliminary Land Investigation (dated 30.08.2019)
 - 7530.2B: Noise Impact Assessment by Apex Acoustics (dated 02.10.2019)
 - Planning Statement and Sequential Assessment (dated November 2019)
 - 190902-792-TA v0: Transport Assessment by itransport Planning (dated 08.11.2019)
 - 191108-792-TP v2: Travel Plan by itransport Planning inc. Vol.2 and Vol.3 (dated 11.08.19)
 - Design and Access Statement (dated November 2019)
 - ARB/AE/2282: Arboricultural Impact Assessment; Arboricultural Method Statement, Tree Protection Plan (dated November 2019)
- 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. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

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

4. Refuse Storage Detail Provide Before Occ REF001 *

5. Construction Method Statement - Major SIT007 *

6. A car park management strategy shall be submitted to and approved by in writing the Local Planning Authority. The approved car park management implemented prior to the first use of the hereby approved hotel and shall be carried out in accordance with the agreed details thereafter.

Reason: To ensure adequate parking facilities for the site and in the interests of highway safety having regard to the policy DM7.4 of the North Tyneside Local Plan 2017.

7. Notwithstanding condition 1, a scheme for the provision of secure undercover cycle storage in accordance with the cycle parking standards of 'LDD 12 Transport and Highways' shall be submitted to and approved by in writing the Local Planning Authority prior to the commencement of the use hereby permitted. Thereafter, this scheme shall be implemented in accordance with the approved details prior to the first occupation of the hereby approved hotel and retained thereafter.

Reason: In the interests of promoting sustainable transport having regard to policy DM7.4 of the Local Plan 2017 and LDD 12 Transport and Highways.

8. Notwithstanding condition 1, a scheme for the provision of Electric Vehicles (EV) charging points shall be submitted to and approved by in writing the Local Planning Authority prior to the commencement of the use hereby permitted. Thereafter, the approved scheme shall be implemented in accordance with the approved details prior to the first use of the approved hotel.

Reason: In the interests of promoting sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan 2017.

9. Notwithstanding condition 1, full details of a taxi & private hire servicing plan shall be submitted to and approved in writing by the local planning authority prior to the commencement of the use hereby permitted. The approved plan shall include details of drop off & pick up points and allocated parking bays as necessary. The approved taxi and private servicing plan shall be implemented in accordance with the approved details prior to the first occupation of the hereby approved hotel and retained thereafter.

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

10. Notwithstanding condition 1, a servicing & refuse management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority prior to the commencement of the use hereby permitted. The approved servicing & management of the refuse shall be implemented prior to the first occupation of the hereby approved hotel use and carried out in full accordance with the approved details thereafter.

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

11. Within three months of the first occupation of the hereby approved hotel, a revised Framework Travel Plan shall be submitted in writing to and approved by the Local Planning Authority. The measures identified with the revised Framework Travel Plan shall be implemented on approval and reviewed annually.

Reason: In the interest of sustainable transport having regard to the NPPF, policy DM7.4 of the Local Plan 2017 and LDD 12 'Highways and Transport'.

12. Gas Investigate no Development

GAS00 *

13. All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage, are to be carried out in complete accordance with the Arboricultural Method Statement submitted by Elliot Consultancy, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'. Any works involving excavation of soil, including foundations and the laying of services, within the RPA of retained trees on site shall be dug by hand.

Reason: To ensure that no trees are damaged as a result of the approved works, having regard to policy DM5.9 of the North Tyneside Local Plan 2017.

14. Notwithstanding condition 1, a Lighting Impact Assessment/Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any lighting at the site or building. The approved lighting scheme shall demonstrate that light spill at the woodland edge is less than 2 lux in accordance with the approved Ecological Appraisal and the approved scheme shall be implemented prior to the first occupation of the hereby approved development and retained thereafter.

Reason: In the interest of biodiversity having regard to policies S5.4, DM5.5 and DM5.7 of the North Tyneside Local Plan 2017.

15. Prior to the commencement of development, an Amphibian Method Statement shall be submitted to and approved in writing by the Local Planning Authority. All works on site will be carried out in accordance with the approved Amphibian Method Statement.

Reason: This condition is required prior to the commencement of development to ensure the proposed works would not endanger or kill amphibians on site, particularly Great Crested Newts, having regards to policy DM5.5 of the North Tyneside Local Plan 2017.

16. The hereby approved development shall be carried out in strict accordance with the mitigation measures identified within the approved Ecological Appraisal by E3 Ecology (dated 18.11.19), including, but not limited, to the construction of habitat piles in the adjacent woodland, installation of heras fencing and ensuring that any open excavations left overnight will have ramp at least 300mm wide at an angle of no greater than 45degrees.

Reason: In the interests of biodiversity having regard policy DM5.5 of the North Tyneside Local Plan 2017.

17. Notwithstanding condition 1, a scheme for 6No bat boxes and 6No bird boxes of various designs shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby permitted. The approved plans shall include the specifications of the proposed bat and bird boxes and their locations. The approved bat and bird boxes shall be installed prior to the first occupation of the hereby approved hotel use.

Reason: In the interest of wildlife and biodiversity having regard to policy DM5.5 of the North Tyneside Local Plan 2017.

18. No vegetation removal or building works within soft landscaping areas 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 the construction of the development does not disturb nesting birds having regards to policy DM5.5 of the North Tyneside Local Plan 2017.

19. No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Reason: In the interests of biodiversity having regard policy DM5.5 of the North Tyneside Local Plan 2017.

20. The hereby approved development shall be carried out in full accordance with the mitigation measures identified within section 5 and 6 of ARB/AE/2282: Arboricultural Impact Assessment; Arboricultural Method Statement, Tree Protection Plan (dated November 2019).

Reason: To ensure that no trees are damaged as a result of the approved works, having regard to policy DM5.9 of the North Tyneside Local Plan 2017.

21. Noise No Tannoys Externally Audible NOI002 *

22. Notwithstanding condition 1 and prior to the installation of any chimney or extraction equipment, full details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior Reason: In order to safeguard the amenities of the occupiers of any adjoining properties having regard to policy DM5.19 of the North Tyneside Local Plan 2017.

23. Notwithstanding condition 1 and prior to the installation of any air ventilation systems, full details of the proposed air ventilation systems shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied in accordance with the approved details and permanently retained.

Reason: To protect the amenities of the occupiers of adjoining properties in the vicinity having regard to policy DM5.19 of the North Tyneside Local Plan 2017.

24. Notwithstanding condition 1 and prior to the installation of any refrigeration equipment, full details of any refrigeration plant to be installed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter only be installed in accordance with the approved details and permanently retained as such.

Reason: To protect the amenities of the occupiers of adjoining properties in the vicinity having regard to policy DM5.19 of the North Tyneside Local Plan 2017.

25. Notwithstanding condition 1, full details of an odour suppression system for the arrestment of kitchen odours shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of external alterations to the building. The scheme shall thereafter be implemented before the first use of the hotel restaurant commences in accordance with the approved details and permanently retained. The submitted details include the manufacturers maintenance details and retain the odour suppression in accordance with the submitted details thereafter.

Reason: To protect the amenities of the occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan 2017.

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

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

Informatives

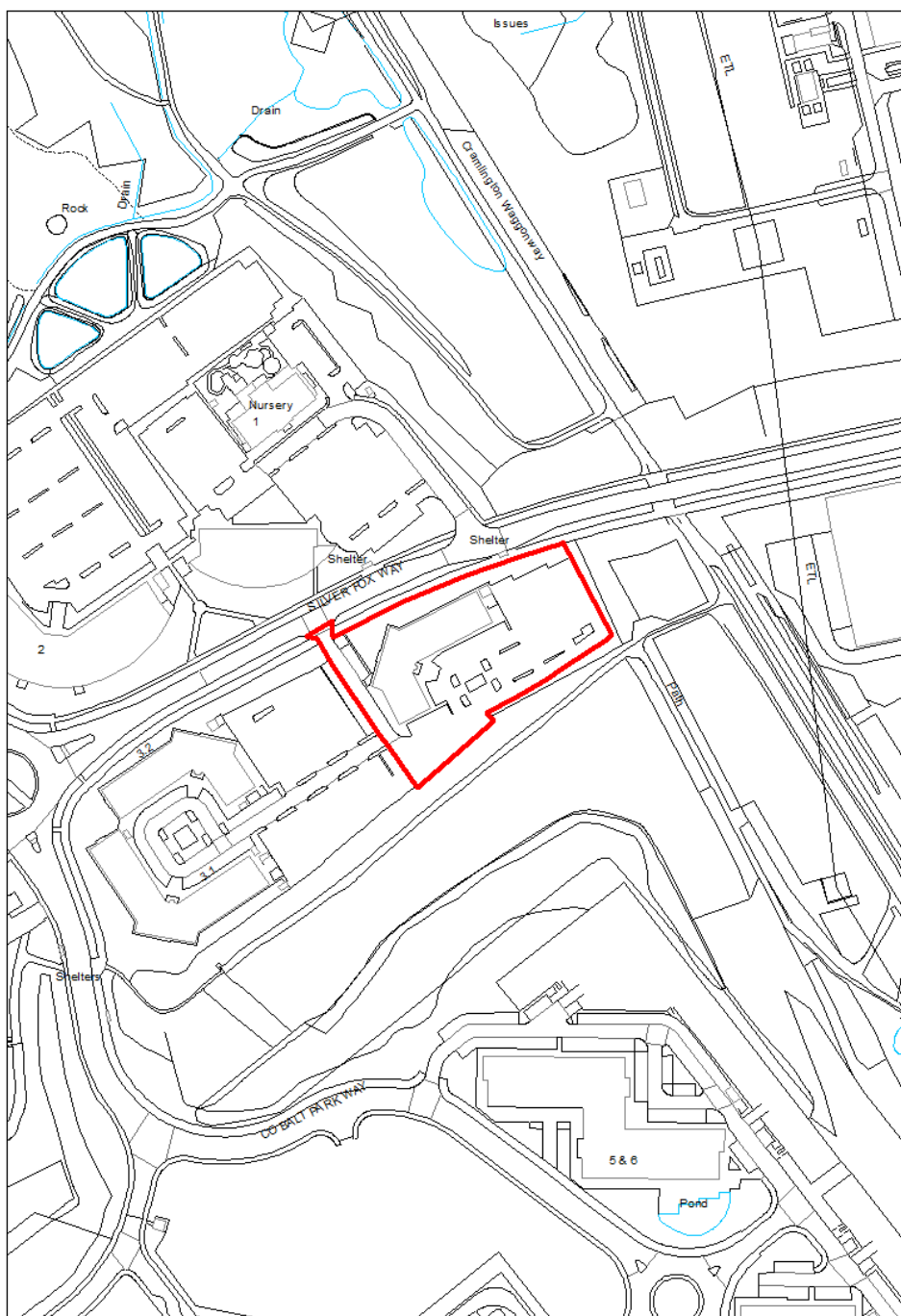
No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Highway Inspection before dvlpt (I46)

Building Regulations Required (I03)

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



Application reference: 19/01566/FUL

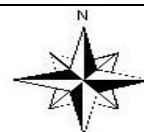
Location: Unit 3 Cobalt 3, Silver Fox Way, West Allotment

Proposal: Change of use from office (B1/B8) to Hotel (C1) together with a two storey extension onto the existing building to create an additional 249m² of floorspace; improvements to the existing elevations with associated access and parking

Not to scale

Date: 06.02.2020

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0100016801



Consultations/representations

Internal Consultees

1.0 Highways Network Manager

1.1 This application is for a change of use from (B1/B8) to Hotel (C1) together with a two-storey extension onto the existing building to create an additional 249m² of floorspace; improvements to the existing elevations with associated access and parking.

1.2 The site has been established for some time and access & servicing arrangements remain unchanged. Parking has been provided to suit the needs of the site and the traffic generation during network peaks for the proposed use is less than that by the current office use. Conditional approval is recommended.

1.3 Recommendation - Conditional Approval

1.4 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT06 - Construction Method Statement - Minor

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

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

1.6 No part of the development shall be occupied until a scheme for the provision of secure undercover cycle storage has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of promoting sustainable transport

1.7 No part of the development shall be occupied until a scheme for the provision of Electric Vehicles (EV) charging points has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of promoting sustainable transport

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

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety.

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

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

1.11 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before development

2.0 Planning Policy

2.1 The site is an allocated employment site (E021) in the adopted North Tyneside Local Plan (2017) and it is important that the overall supply of employment land is sufficient to meet future employment needs and flexible enough to react to market demands. The Local Plan made provision for a medium level of growth, with 150ha of employment land being available for development during the Plan period.

2.2 The site is approximately 0.7ha and is not identified as available employment land in Policy 2.2 of the Local Plan, but within the overall allocation (E021) there is still 4.72ha of available employment land (Employment Land Review 2019) that has yet to be developed. The loss of this site as employment land is not considered to be an excessive reduction in supply of land for employment uses, taking into account the overall amount, range and choice available for the remainder of the plan period.

2.3 The hotel development is identified in the submitted planning statement as being primarily for business guests and its location is seen as critical to meeting this target market. A previous application (10/01510/FUL) for a 125 bed hotel on an adjacent site within the Cobalt Business Park was approved in 2011, but the hotel aspect of development has never been completed. The development of the site for a hotel would be considered to have a positive contribution towards the overall economic growth of the business park which is one of the key areas of office development within the borough and within the A19 (T) economic corridor that continues to play a central role in the growth of employment in North Tyneside.

2.4 The site has been vacant for a number of years and would therefore not be considered to result in an unacceptable loss of existing businesses or jobs that would be contrary to Policy DM2.3 of the Local Plan but would be complementary to the adjacent businesses.

2.5 A hotel is recognised in the National Planning Policy Framework as a town centre use and therefore based on the national and local policy should be located within a town centre or edge of centre site before considering out of centre locations.

2.6 The submitted planning statement reflects that the proposal is for a town centre development in an out of centre location and therefore to meet the requirements of national and local Policy has submitted evidence of other potentially sequentially preferable sites. The Council has to be mindful of the business needs of the applicant when considering sequentially preferable sites. There needs to be flexibility in the business model and an understanding of the businesses operational requirements when considering alternative sites. It is clear from the submitted information that there are no sequentially preferable sites that are either suitable, available or viable.

2.7 The Council is keen to ensure that it supports the growth and regeneration of the boroughs town centres, but it is accepted that the proposal would be in accordance with Policy DM3.4 that seeks to develop premises previously developed for a town centre use, which are readily accessible to public transport, when no sequentially preferable sites are found.

2.8 In conclusion, there are no identified sequential alternative sites and the proposal will make an overall positive contribution towards economic growth and employment in North Tyneside.

3.0 Environmental Health (Pollution)

3.1 I have no objection in principle to this application but would recommend the conditions to address construction hours and dust mitigation during the construction phase of the development.

3.2 I have viewed the noise impact assessment that has considered potential noise impacts from any new external plant to be fitted at the site e.g. air conditioning units etc, and due to the location of the proposed hotel plant noise is likely to be mitigated by the existing screening provided by the business park for nearest sensitive receptors. The noise assessment has also considered the internal noise for the hotel bedrooms and recommended a glazing scheme to ensure bedrooms achieve a level of 30 dB LAeq for both day and night time.

3.3 I would therefore recommend if planning consent is to be given the following condition to ensure a noise scheme is implemented in accordance to the details outlined in the noise report.

3.4 I note that a commercial kitchen facility will be installed and conditions will be necessary to require odour controls to be incorporated within the design. The kitchen extraction system should be based upon the DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems".

3.5 If planning consent is to be granted I would recommend the following:

3.6 Prior to development, submit and implement on approval of the local Planning Authority a noise scheme providing the details of the window glazing specification

in accordance to the noise report reference 7530.2B to ensure internal equivalent noise level of 30 dB LAeq for all habitable bedrooms as described in BS8233.

NOI02

EPL01

EPL02

EPL03

EPL04 The applicant shall maintain the odour suppression system as approved in accordance with the details provided by the manufacturer and submitted by the applicant for the purposes of demonstrating compliance with Standard Condition EPL04.

HOU04

SIT03

4.0 Biodiversity Officer

4.1 The above scheme is to convert the existing building on site to a hotel, with a two storey extension onto the existing building to create additional floorspace. The scheme is located to the south of Silver Fox Way with dense woodland to the south and east of the site, business units and woodland to the north and business units to the west. Silverlink Park and Waggonway Local Wildlife Site (LWS) lies approximately 30-50m away from the site (north and east). No areas of semi-natural vegetation will be lost as part of the scheme.

4.2 Ecological Appraisal (E3)

The Ecological Appraisal indicates that the current modern office building is in good condition and has a negligible risk of supporting roosting bats or nesting birds. It is set within an area of tarmac car park, parts of which would be lost to the extension. Ornamental shrub planting with standard trees at about 15m intervals line the adjacent road to the north, and maturing plantation broadleaved woodland wraps around the eastern and southern boundaries. To the east is further car parking and office buildings. The linear habitats associated with the waggonway, which are part of a Local Wildlife Site (LWS), lie immediately to the east.

The waggonway habitats provide good opportunities for great crested newts, though a number of the closest ponds are becoming over-mature, shaded and drying out. Woodland will provide foraging and commuting opportunities for bats, though lack of deadwood habitats will reduce roosting opportunities. Survey results suggest that the majority of the site is of negligible value for the habitats it supports, with grassland being of local value. No trees would be affected by the development.

4.3 The risk of the site being used by great crested newts is considered to be negligible, but they are likely to use areas of adjacent woodland as terrestrial habitat. No other protected or priority species are likely to be significantly affected by the proposals. The proposed development could affect the adjacent LWS if light levels in the car park are increased. The Ecological Appraisal recommends that given the location of the hotel, servicing local business parks and civil service offices, and distance from the coast, it is not expected to contribute to leisure use of the coast, therefore secondary disturbance impacts on the coastal SPA bird species are not anticipated.

4.4 Potential impacts of the development are anticipated to include:

Low risk of harm to amphibians if construction creates refuge sites within the development area.

Risk of harm to the woodland through accidental damage to trees and littering during construction.

Increase in external light levels

4.5 Key mitigation measures include:

- Development is restricted to areas of current car park.
- Light spill at the woodland edge, at 5m height, will be less than 2lux.
- Materials stored outside during conversion works will be on pallets to avoid creating narrow crevices attractive to amphibians.
- Habitat piles will be constructed within the adjacent woodland areas to ensure that abundant refuges are present for amphibians outside the site, further reducing the risk of newts entering the site, and providing medium term benefits.
- The construction boundary and marginal grasslands will be protected by Heras type fencing to prevent access or littering of the woodland.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- Works will be undertaken to a precautionary method statement to prevent the site becoming more attractive to amphibians during works.
- To deliver some net gain for wildlife 6 bat and 6 bird boxes with a design life of over 10 years will be installed in the adjacent woodland.
- On completion of the works the adjacent woodland will be litter picked for any construction debris.

4.6 The Ecological Appraisal recommends that provision of a suitable lighting scheme, provision of habitat piles, bat and bird boxes, and protective temporary fencing to the woodland is a pre-start condition.

4.7 Arboricultural Impact Assessment (AIA)

The AIA confirms that no trees are required for removal to allow the construction of the extension. The AIA states that prior to site works commencing, tree protection fencing will be erected in accordance with the Arboricultural Method Statement and Tree Protection Plan.

4.8 Designated Coastal Sites

The submitted Ecological Appraisal recommends that given the location of the hotel, servicing local business parks and civil service offices, and distance from the coast, the scheme is not expected to contribute to leisure use of the coast, therefore secondary disturbance impacts on the coastal SPA bird species are not anticipated.

4.9 However, it is the view of the LPA that the scheme is likely to impact the coast as a result of recreational disturbance. Increases in residential and tourist accommodation leads to an increase in recreational activity, which can lead to increased disturbance to the birds associated with the designated sites.

4.10 The scheme will, therefore, need to comply with the Councils Coastal Mitigation SPD. The SPD provides guidance and information on the mitigation

required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline

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

Conditions

4.12 In order to address the recreational impacts of the scheme on the Northumbria Coast SPA, an appropriate financial contribution will be required towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD and agreed by the Local Planning Authority.

4.13 A Lighting Impact Assessment/Lighting Scheme must be submitted prior to development commencing on site to demonstrate that light spill at the woodland edge is less than 2 lux in accordance with the Ecological Appraisal.

4.14 An Amphibian Method Statement will be submitted to the Local Planning Authority for approval prior to development commencing. All works on site will be carried out in accordance with the approved Method Statement.

4.15 Prior to works commencing on site, habitat piles will be constructed within the adjacent woodland areas to ensure that abundant refuges are present for amphibians outside the site, further reducing the risk of newts entering the site. Details to be submitted to the Local Planning Authority for approval prior to development commencing.

4.16 The existing adjacent woodland and marginal grasslands will be protected by Heras type fencing during construction works to prevent access or littering of the woodland. All trees and woodland will be protected in accordance with the Arboricultural Method Statement and Tree Protection Plan.
Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

4.17 On completion of all works on site, the adjacent woodland will be litter picked for any construction debris.

4.18 6no. bird boxes (various designs) will be provided in suitable locations within the mature woodland adjacent to the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans thereafter.

6no. bat boxes will be provided in suitable locations within the mature woodland adjacent to the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans thereafter.

4.19 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.

5.0 Contaminated Land Officer

5.1 I note from the Phase 2 report that the site is to hardstanding. As such there will be no contaminant linkage no conditions relating to contamination are required. If the design is to change then this will have to be revised.

5.2 The report notes that:

Following completion of the remaining 1 no. gas monitoring visit, a final assessment of these results and recommendations will follow as an addendum to this report.

5.3 Gas 006 must be applied

6.0 Landscape Architect

6.1 The above scheme is to convert the existing building on site to a hotel, with a two storey extension onto the existing building to create additional floorspace. The scheme is located to the south of Silver Fox Way with dense woodland to the south and east of the site, business units and woodland to the north and business units to the west. Silverlink Park and Waggonway Local Wildlife Site (LWS) lies approximately 30-50m away from the site (north and east).

6.2 The building is set within an area of tarmac car park, a section of which will be lost to the extension. Ornamental shrub planting with standard trees are present adjacent to the road to the north, and maturing plantation broadleaved woodland wraps around the eastern and southern boundaries.

6.3 An Arboricultural Impact Assessment (AIA) has been submitted that confirms that no trees or existing planting is required for removal to allow the construction of the extension and that prior to site works commencing, tree protection fencing will be erected in accordance with the Arboricultural Method Statement and Tree Protection Plan. However, it is unclear from the plan as to the location of the tree protective fence and this will need to be provided on condition. (The TPP shows a magenta line but not sure where the red protective fence line is)

6.4 The following suggested conditions should be applied to the application:-
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.

6.5 Prior to commencement of works starting on site, the existing adjacent woodland and marginal grasslands will be retained and protected by fencing and installed at the location shown on a plan which is to be submitted for approval. No operational work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the

Local Planning Authority. The protective fence is not to be repositioned without the approval of the Local Authority.

6.6 All works within the RPA of the retained trees that include (but not limited to) kerb installation, fence post installation, lighting and drainage, are to be carried out in complete accordance with the Arboricultural Method Statement submitted by Elliot Consultancy, BS 5837:2012 and the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees'. Any works involving excavation of soil, including foundations and the laying of services, within the RPA of retained trees on site shall be dug by hand.

6.7 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 Tree Protection fence and maintained for the duration of the works. The AMS and TPP is to form part of the contractors method statement regarding the proposed construction works.

External Consultees

7.0 The Coal Authority

7.1 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision

Notice as an informative note to the applicant in the interests of public health and safety.

8.0 Northumbrian Water Ltd

8.1 No comments to make.

9.0 Natural England

9.1 The potential for recreational disturbance impacts on the above designated sites requires re-assessment. Further consideration should then be given to appropriate mitigation measures, including a financial contribution to the Coastal Mitigation Service in line with the North Tyneside Supplementary Planning Document.