

Application No: 19/00833/FUL Author: Julie Lawson
Date valid: 12 September 2019 ☎: 0191 643 6337
Target: 12 December 2019 Ward: Northumberland
decision date:

Application type: full planning application

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

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

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

Agent: WYG, Mr John Wyatt 4th Floor Rotterdam House 116 Quayside Newcastle Upon Tyne NE1 3DY

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Summary of Key Issues and Considerations

1.1 The main issues are

- a) principle of development and impact on open space,
- b) landscaping and biodiversity
- c) design and appearance
- d) impact on the amenities of nearby residents
- e) highway impacts

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.

1.3 Specifically, Members need to determine whether the proposed development is acceptable with regards to the principle of development, the loss of trees and biodiversity and in design terms. Members also need to consider whether it will impact on open space, will have any significant detrimental impacts on the amenity of occupiers of nearby residential properties and whether the proposal will have any adverse highway impacts.

2.0 Description of the Site

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

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

2.3 Trees on the site are protected by Wallsend Golf Course No.2 Tree Preservation Order 2010.

3.0 Description of the Proposal

3.1 It is proposed to construct a building that comprises a driving range, bars, restaurants, function rooms, a golf shop and changing facilities for the existing Wallsend Golf Club with car parking and servicing facilities on the east of the golf course with access off West Street covering approximately 4 hectares. The golf course will be reconfigured.

3.2 The building is proposed as two storeys high with mezzanines which results in the predominant front elevation height of approximately 10.3m with the entrance, areas above function rooms and roof access rising to approximately 11.6m. Therefore the building has elements equivalent to a three storey building. The roof is flat with some elements pitched.

3.3 The proposed internal building floor area is approximately 4602 sqm. Of this 54 driving range bays are proposed over two floors and have a floor area of approximately 1849 sq m, the golf club area is 206 sq m, bars and restaurants 646 sq m, function rooms 482 sq m and a golf shop 368 sq m. A maintenance shed of approximately 654 sq m floor area, and approximate ridge height of 8m is also proposed. The 300m long driving range requires a high fence enclosure and a 35m high fence with metal lattice towers as posts, is proposed around the driving range.

3.4 Two access points are proposed off West Street. The southerly access will provide ingress to the service area and the northerly access will provide access to and from the building and egress for service vehicles. Parking is proposed for 202 cars to the north of the main building and a further 49 spaces are proposed

adjacent to the maintenance building for staff and maintenance vehicles i.e. a total of 251 parking spaces. 20 covered cycle spaces are also proposed.

3.5 The proposed reconfiguration of the golf course and new accesses will include the loss of trees, landscaping and some of the TPO trees. A planting strategy has been submitted.

4.0 Background to the development

4.1 The applicant has advised that the existing golf club is reflective of the general UK trend of declining golf club membership with less of the population, including younger people, playing the traditional 18 holes of golf due, firstly, to the cost and, secondly, to the length of time required. In order to address this decline the operator of the golfcourse, Keeping Inn Ltd, has teamed up with Harrison Golf and Leisure Newcastle Ltd to promote a Big Shots Golf facility.

4.2 The applicant has advised that the Big Shots Golf concept was launched in Texas in 2017 and aims to deliver golf to a younger and more diverse market beyond the common perceptions of traditional golf clubs and driving ranges. Big Shots Golf delivers

state of the art facilities for newcomers and accomplished golfers by using virtual reality digital technology. The facility provides serious golfing facilities as well as encouraging group and family sporting entertainment. Its facilities typically provide large, well-furnished practice bays, a 300m plus driving range, advanced digital technology tracking equipment, video bays providing the opportunity to play a selection of world renowned courses, a golf academy for all standards, a golf shop, high quality food and beverage to clients and function room and meeting facilities aimed principally at the corporate market.

4.3 Bigshots Golf provides professional tuition and practise facilities for serious golfers and an entertaining and social opportunity for new players, families and friends at any time of the day. It intends to introduce junior scholarships and work with interested local schools and clubs to develop golf from an early age. Low cost membership will be available, with emphasis on ladies and juniors. It aims to engage with the local community and develop the centre as a sports and social environment in pursuit of the Sport England Strategy 2016 – 2021.

4.4 The applicant has stated that the key benefits of the proposed development comprise:

- An initial investment of £12 million in Wallsend, a key regeneration area. This will support the Council's Economic Growth Strategy outlined in Local Plan Policy S2.1, by providing a much-needed boost to economic growth in Wallsend and the wider area;

- In accordance with Local Plan Policy 2.1, the development will also create around 100 new direct jobs, in addition to a significant number of jobs created indirectly as part of the construction process and the supply chain moving forward. The applicant has also submitted a Training and Employment Management Plan, to be secured through the S106 Agreement, which confirms that 3 apprenticeships will be offered every year in relation to both golf course maintenance and hospitality within the new facility;

- The development will secure the long-term future of Wallsend Golf Club by diversifying and enhancing the offer at the current golf course in order to halt the steady decline in golf participation and membership, particularly from younger members of the community. Not only will the new facility provide new changing rooms and a bar facility to replace the existing clubhouse, significant sums of money will be invested in the golf course itself, particularly the drainage, in order to improve significantly the quality of the course for existing and potential new members. The course will also be shortened, which will also attract more junior golfers to play at the club;
- The business will offer junior scholarships to aspiring young local golfers and create close relationships with interested local schools, with the intention of getting golf onto the school curriculum. In addition to being able to make use of the gold course/facilities, meeting rooms will be made available for lessons to local schools;
- The facility will broaden the base of potential participants by appealing to younger players and families as well as providing something different to those who already partake in golf and are already members of the golf club, by offering a unique mix of golf, entertainment and food. To help achieve this the concept also includes a PGA approved golf academy which will be open to existing golfers and those new to the sport. This accords with Local Plan Policy S1.2, which seeks developments which will contribute to creating an age friendly, healthy and equitable living environment, including providing exercise, health and wellbeing benefits impacts on residential amenity/public safety;
- In order to maximise the opportunity for local residents to use the new facility, the applicant is to ensure that Ease Cards can be used which will provide a discount for local residents presenting them at the facility;
- Function/meeting rooms will be available for local businesses to hold meetings at the facility or to provide for corporate days which combine an element of business with pleasure through use of the driving range and bar/restaurant facilities. Again, this will contribute towards the aims and objectives of Local Plan Policy S2.1;
- A new access is to be created from West Street for the proposed development which will remove the current problems caused by access having to be taken through existing residential areas past Western Community Primary School and up Rheydt Road. The new access from West Street will also be used by golf club members as well as driving range customers and will provide significant betterment in terms of taking traffic off residential streets and away from the school. Once the new facility is operational, the existing club house will be closed permanently. This ensures that the scheme meets the provisions of Local Plan Policy DM7.4.

5.0 Planning History

Existing Golf Clubhouse

09/03178/FUL Erection of new hotel and sports injury rehabilitation clinic. Refurbishment of former sports centre including external alteration, a new squash court and bar/dining facilities. Proposed 6no all weather pitches, 3no tennis courts, par 3 golf course, adventure course and batting cage. Relocation of groundsman compound. Approved 19 October 2011

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

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

6.0 Government Policy

National Planning Policy Framework February 2019
National Planning Policy Guidance (As amended)

7.0 Development Plan

7.1 North Tyneside Local Plan 2017

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

PLANNING OFFICERS REPORT

8.0 Summary of Key Issues and Considerations

8.1 The main issues for Members to consider are:

- a) principle of development and impact on open space;
- b) landscaping and biodiversity;
- c) design and appearance;
- d) impact on the amenities of nearby residents; and
- e) highway impacts.

8.2 Consultation responses and objections regarding the proposal are set out in Appendix 1 to this report.

9.0 Principle of development

9.1 This site is identified as open space on the Policies Map of the North Tyneside Local Plan 2017.

9.2 S1.2 Spatial Strategy for Health and Well Being states that the wellbeing and health of communities will be maintained and improved through a number of measures including access to green spaces, sports facilities, play and recreation facilities.

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

9.4 DM5.2 Protection of Green Infrastructure states that loss of any part of the green infrastructure network will only be considered in exceptional circumstances where it has been demonstrated that the site no longer has any value to the community in terms of access and function; or if it is not a designated wildlife site or providing important biodiversity value; or if it is not required to meet a shortfall in the provision of that green space type; or the proposed development would be ancillary to use of the green infrastructure and benefits to the green infrastructure would outweigh any loss of open space. Where proposals are considered to meet the exceptional circumstances permission will only be granted where alternative provision, equivalent to or better than in terms of its quantity and quality, can be provided in equally accessible locations that maintain or create new green infrastructure connections. Proposals should seek net gains for biodiversity and not cause adverse impacts to biodiversity.

9.5 The proposed building and driving range are located on part of the existing golf course. The existing golf club and driving range are not part of the application site, so the proposed building and driving range will result in the loss of some of the open space. It is proposed to reconfigure the existing golf course to improve the golf offer. The loss of the open space would not result in an under provision of open space in the area. The proposal would not result in the loss of sports facilities.

9.6 The principle of the proposed development on the existing golf course is acceptable but there are issues regarding the location of the built facility and driving range in the middle of the existing golf course resulting in the loss of trees and wildlife habitat. These issues will be considered in the next section.

10.0 Landscaping and Biodiversity

10.1 Paragraph 170 of the NPPF states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

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

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

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

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts),

adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

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

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

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

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

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

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

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

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

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

10.9 Objections have been received from local residents in relation to the impact of the loss of trees along the West Street boundary opposite their houses. This includes loss of screening not only in visual terms, but also that the planting reduces noise and damage from stray golf balls and its loss will impact on privacy as well as on wildlife.

10.10 The site is on land allocated as open space and located in a wildlife corridor in the North Tyneside Local Plan. The proposed building, servicing facilities, access and parking will result in loss of woodland and trees which are part of the golf course and along the West Street boundary where accesses are proposed where trees are protected by the Wallsend Golf Course Tree Preservation Order. The proposed facility is situated within a wildlife corridor and will result in impacts on biodiversity.

10.11 The applicant has submitted the following plans and drawings over the course of the application:

- Arboricultural Impact Plan;
- Course Layout – Proposed Plan;
- Course Layout – Proposed Layout;
- Landscape Strategy Plan 1576-1-1 Rev H (submitted 10.12.19);
- Contour Plan;
- Golf Course Planting Strategy Plan West 1576-1-3a Rev E (submitted 11.12.19);
- Golf Course Planting Strategy Plan East 1576-1-3b Rev E (submitted 11.12.19);
- Arboricultural Impact Assessment;
- Arboricultural Pre-development Report;
- Tree Constraints Plan;
- Landscape Statement Glen Kemp Landscape Architects 3.09.19;
- Further Landscape Statement Glen Kemp Landscape Architects 21.10.19;
- Ecological Appraisal;
- Bat Survey Interim Report;
- Bat Survey Report;
- Breeding Bird Survey Report;
- Otter and Vole Survey;
- Lighting Report;
- Additional Lighting and Ecology Information 28.08.19;
- Statement from netting supplier 19.09.19;
- Further ecology comments from WYG 30.10.19;
- Further netting information 30.10.19;
- Landscape and Ecology Mitigation and Management Plan;
- Course Tree Translocation Strategy 1576-1-5 Rev B (submitted 11.12.19);
- Tree and Environment Protection Methodology (submitted 10.12.19);
- High Nets Ecological Monitoring Strategy (submitted 10.12.19);
- Tree Translocation Advice (submitted 10.12.19); and
- Mitigation Hierarchy (December 2019).

10.12 The applicant has concluded the following from these reports, in landscape terms:

- Suitable mitigation can be provided for the loss of woodland. 2.73ha of tree cover to be removed and 3.64ha of new trees planted.

- The main area of loss of tree cover within the site would have no effect on the visual character of the site from surrounding roads or streets as it would be screened by existing vegetation cover.
- New access roads will cut through the TPO belt at a point where disruption to vegetation will be minimised.
- Visual character along West Street will be improved by the proposed thinning of the existing tree and shrub cover along West Street which is structurally poor and new planting of native trees and shrubs so it will function better as a visual screen. The existing chainlink fencing will be removed.
- Woodland was planted as an attractive setting for the golf course not as native woodland of high ecological value, therefore it can easily be replaced.
- The translocation of approximately 300 semi-mature trees is proposed.

and in ecological terms:

- The mixed plantation woodland is of 'local' ecological importance, but loss can be mitigated by compensation and the importance of the habitat retained.
- Loss of woodland is in the short to medium term and therefore temporary and not significant.
- 1ha of wildflower understorey/grassland is proposed.
- The proposed development will deliver positive management of existing retained structure planting to enhance the overall biodiversity value of the site.
- Baseline data from surveys shows the site does not support significant assemblages of protected or notable habitats or species therefore with new planting and enhancements to retained habitats, quality and connectivity of the wildlife corridor will be retained.
- The amenity grassland to be lost is of 'negligible' ecological importance.
- The impacts of the development proposals in terms of habitats will not be significant.

10.13 The Landscape Architect and Biodiversity Officer have advised that there are a number of environmental concerns associated with the proposal. Whilst the applicant has made great effort to address issues associated with mitigation by offering improved levels of planting, they consider that the proposal has not considered all options or site constraints in the design stage process. The ecological surveys show that the site is dominated by broadleaved plantation woodland with areas of amenity grass. The loss of a large area of established woodland is the most significant impact. The scheme will result in the loss of 2.73ha of native broadleaved woodland, a total of 3.64ha of new native woodland has been proposed which in the medium to long term will mitigate for this loss and provide a net gain in woodland of approximately 0.9ha. In addition, the translocation of approximately 300 semi-mature trees is proposed and the creation of wildflower understorey/grassland areas.

10.14 The applicant has submitted a statement regarding the Mitigation Hierarchy to set out how the application has followed the sequential hierarchy of:

1. Avoiding impacts;
2. Minimising impacts; and
3. Mitigate and compensate impacts.

10.15 Avoidance is the first step of the mitigation hierarchy. The Landscape Architect and Biodiversity Officer consider that the applicant's information relies

on the accessibility, prominence and flood risk issues of the existing golf course site. They consider that these issues could have been resolved on the current site or an alternative location found thereby avoiding the impacts of the current proposal to large areas of woodland and the wildlife corridor. In terms of minimising the impact, they consider that an alternative design option that offers the same recreational experience but with a smaller facility could have been considered. In terms of mitigation, the total area of native woodland structure planting to be provided provides a net woodland area of approximately 0.9ha. However, the majority of this will be juvenile trees.

10.16 The Arboricultural Assessment shows that a large proportion of the woodland groups to be lost are category B trees. The protected trees along West Street provide a locally distinctive unbroken landscape feature and are prominent against the skyline.

10.17 The applicant's Lighting Assessment has concluded that the ecological habitat along the water body to the south of the site is not expected to experience light trespass in exceedance of 1 lux and therefore the foraging and commuting routes of existing bats should not be adversely impacted by light from the proposed development.

Further assessment has shown that with the operational development, the entrances to the wildlife corridor to the north and south of the site including along the watercourse are all below 1 lux. The existing large mature trees onsite to the south and west of the site are to be retained and these will provide screening even in winter months. The directional design of the lights at the driving range and car park have been set out so as to protect the foraging and commuting corridors throughout the site which will still be retained.

10.18 The Biodiversity Officer has advised that the loss of woodland will have an impact on the designated wildlife corridor through habitat loss and indirect impacts associated with lighting and noise from the driving range. With regard to the proposed 35m high fence with metal lattice towers as posts around the driving range, the Biodiversity Officer refers to information submitted by the applicant that the netting will not impact breeding birds and bats as they will be able to avoid this feature. The applicant has submitted a document regarding the monitoring of the netting to prevent the trapping of wildlife.

10.19 The Landscape Architect and Biodiversity Officer acknowledge the mitigation proposed by the applicant in terms of landscaping and tree translocation and they have recommended conditions if the application is to be approved including tree protection, replacement tree planting, lighting, landscaping, translocation, landscape management, arboricultural and ecological supervision, bird, mammal, hedgehog and squirrel checking and mitigation, bird and bat boxes and a monitoring and maintenance plan for the netting.

10.20 The applicant has respond to the comments of the Landscape Architect and Biodiversity Officer. They have advised the following:

- The site of the existing golf club is not suitable as it suffers from very poor access which has a significant impact on the ability to attract local, non-golfer customers.

- The success of the new facility is dependent on food and beverage revenue and needs to attract local residents.
 - The current location is isolated with poor public transport links and they look to limit the traffic increase in the current location and the position of the nearby school has been a consideration.
 - The current location is not visually prominent which has a significant effect on the operator's ability to market and attract customers. The proposed site is near the A1058 Coast Road and the new facility needs to benefit from the prominent boundary location.
 - The current clubhouse and driving range have suffered from significant flooding in the past and as a result insurance premiums have increased significantly. There is a substantial flooding excess on the policy which restricts the ability to raise funding for any new development on the existing site. The proposed new location is on the highest part of the site and has never been subject to flooding.
 - Seven tree groups which would be lost or partly lost. One of these comprises four trees which have extensive deadwood, one is described in the tree survey as a scrubby group, another as having a scrubby appearance, one only contains elder and the other is a group of very young trees.
 - Of the total area of vegetation cover, 92% would be retained. Of the 8% that would be removed, this would principally be in the areas where the quality of the vegetation cover is poor. New planting would compensate and generate a net increase. After 10-15 years this would strengthen the TPO belt.
 - The applicant's ecologist considers that the relative ecological value of the site is being over-emphasised and the combination of ecological mitigation and extensive tree planting will provide appropriate mitigation.
 - In terms of the potential for lighting impact, the addendum to the original lighting assessment confirmed that, with the operational development, the entrances to the wildlife corridor are all below 1 lux. The direction of the lights at the driving range and car park have been set out so as to protect the foraging and commuting corridors throughout the site.
- The applicant has also reiterated the benefits of the proposal as set out in the initial section of this report.

10.21 Members need to determine whether the proposal is acceptable in terms of its impact on biodiversity and landscaping. It is officer advice that the proposal on balance is acceptable in terms of its impact on biodiversity and landscaping subject to conditions.

11.0 Location

11.1 Residents have objected to the location of the proposed building on the grounds that it is an American style leisure complex that should be located on a retail park, industrial estate or out of town development not in a residential area; to its proximity to houses on West Street and impact on them in terms of traffic, noise, light and air pollution; and loss of trees which screen the golf course. A number of residents consider that if the proposed building was located on the site of the existing clubhouse these issues would have less impact.

11.2 With regard to the location of the building the applicant has advised that the location of the proposed facility will take traffic away from the school and some residential streets. The applicant has advised that the busiest time for the existing golf course throughout the year is between 8am-9am and that 3pm-4pm

is also busy so creating a new access on West Street will have significant benefits during school pick up/drop off times. The applicant has also advised that the Bigshots business requires road frontage for ease of access for customers. Taking customers through the housing via Rheydt Avenue will not benefit Bigshots or local residents. The applicant is of the view that 'For every resident living on West Street that may experience some additional traffic, there are residents who live on the current route to the site who will experience a decrease in traffic numbers, including importantly the school.' Some residents have advised that schoolchildren especially those living on the housing estate behind West Street access West Street via Dorset Avenue, cross West Street nearer to Dorset Avenue and therefore nearer to the proposed accesses.

11.3 The location of the access points and traffic generation are addressed in the report section on highway issues. The Road Network Manager has advised that the proposal is acceptable in highway terms. The Design Officer has advised, as set out later in this report, that in general the design is acceptable although concerns remain about the height and visibility of the 17 metal lattice towers that enclose the driving range.

12.0 Assessment of Town Centre Uses

12.1 The Council supports a town centre first approach towards new development for main town centre uses in accordance with national guidance (NPPF and NPPG). If there are no available sites in a centre, then edge of centres should be considered before out of centre sites.

12.2 Main town centre uses are defined in the NPPF and include retail, leisure, entertainment and more intensive sport and recreation uses.

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

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

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

12.5 The proposed development comprises retail, restaurants, bar facilities, function rooms, sport and leisure uses.

12.6 The applicant considers that the proposed golf shop:

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

- The existing golf shop (150 sqm) will close once the new golf shop is operational.

12.7 The Senior Regeneration Manager has advised that the current economic climate is challenging for the Council's town centres and that the Regeneration and Economic Development team aims to support any developments that will assist town centres to become more resilient, adaptable and vibrant places and resist developments which could have a negative impact upon them. The proposed development has the potential to attract more visitors to Wallsend and it is considered that it would not compete with the offer in the town centre and would bring investment and jobs to North Tyneside.

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

12.9 The applicant has not provided a sequential assessment for the retail element of the proposed development and has advised that a sequential assessment is not required as with reference to PPG guidance, the proposed golf shop is not a destination in its own right and has a particular market and locational requirements adjacent to the golf course and driving range. It is officer opinion that this is not the correct approach, as the advice in the PPG is to inform how sequential tests should be undertaken not whether they should be undertaken.

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

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

13.0 Design and Appearance

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

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

other things, the likely effects of climate change and flood risk; have an acceptable impact on local amenity for existing residents and businesses; have regard to the built and natural environment; and be accommodated by existing infrastructure encouraging accessibility and walking, cycling and public transport and where appropriate provide improvements to infrastructure.

13.3 Policy DM6.1 Design of Development states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis of the characteristics of the site, its wider context and the surrounding area and, amongst other things, proposals should be responsive in design to landscape features and wildlife habitats; have a positive relationship to neighbouring buildings and spaces; sufficient car parking that is well integrated into the layout; and a good standard of amenity for existing residents.

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

13.5 The Big Shots building is proposed as two storeys high with mezzanines which results in the predominant front elevation height of approximately 10.3m with the entrance, areas above function rooms and roof access rising to approximately 11.6m. Therefore, the building has elements equivalent to a three-storey building in terms of overall height. The roof is flat with some elements pitched. Development in the area is predominantly two storey. The proposed Big Shots building is located approximately 55m from the nearest residential property in West Street.

13.6 Objections have been received from local residents regarding the detrimental impact of the proposed development including loss of trees on West Street on visual amenity and the character and quality of the area and loss of privacy.

13.7 The Design Officer has advised that whilst there are still concerns about the size of the building, the applicant has advised that the size is dictated by the use and during the design process has attempted to mitigate the impact of the large building by improving the design. This has included the introduction of one storey elements; recessing first floor sections to create terraces; and using different cladding. This has reduced visual massing whilst keeping a strong horizontal emphasis. The Design Officer has advised that the building has 'a contemporary aesthetic' 'specifically designed for the site and its surroundings' and the proposed materials, light, dark grey and green cladding, glazing and green walls are acceptable.

13.8 A large maintenance building is proposed between the driving range and West Street adjacent to the service road approximately 4.8m to eaves and 8m high with a floor area of approximately 654 sqm. It is located approximately 71m from the nearest residential property. It will be clad in dark grey cladding to match the main building. The height of the maintenance building is required so that grounds equipment can be serviced and repaired on site using specialised lifting ramps which will reduce the need for external contractors with large flat-bed

trucks to visit the site. Within the maintenance yard there is a pump house, a wash down area and a 2m high water tank.

13.9 In terms of the West Street boundary, the Landscape Strategy Plan shows the proposed planting for the frontage along West Street. The trees along West Street are protected by the Wallsend Golf Course No.2 Tree Preservation Order. A number of protected trees are to be removed to enable the construction of the two accesses, some car parking and part of the servicing area. It is proposed to remove existing fencing along West Street and replace with 1.2m high vertical bar steel railings. It is proposed to carry out selective thinning of existing vegetation within the TPO area and then plant new landscaping to deliver a dense planted edge along West Street. New planting will include specimen tree planting to the car park and other areas, native structure planting comprising transplants and feathered tree groups, native species hedge planting, ornamental hedge and shrub planting. There will also be amenity grass areas, wildflower swards and bulb planting.

13.10 The Design Officer has advised that 'Existing trees make a significant contribution to the character of the local area and a large number are identified for removal. Some of these trees have landscape qualities and provide a visual and wildlife buffer. The loss of trees will result in a significant change to the character of West Street and means that the site will be more visible within the wider area. Replacement planting will take a long time to mature'.

13.11 The proposed Big Shots facility and the maintenance shed will be visible from West Street where the access roads are located through the existing and proposed planting. It is officer opinion that the buildings over time will be, to some extent, screened by the existing and proposed planting from some views from West Street and their impact on the street scene will also be reduced by the distance from West Street and existing properties in West Street.

13.12 The current plans show that the fencing proposed to the driving range will be approximately 35m high. The elevation submitted shows this as extending beyond the building for 215m on each side of the driving range with a width of 60m with 17 towers. The fencing would rise from the building from 15m high to 35m high. The applicant has advised that this mesh fencing is specifically designed to be non-visually intrusive, however there are metal lattice towers every 30m. These will have some visual impact from some view-points. Fencing of this height is an anomaly in most areas and there is limited development of this height in North Tyneside.

13.13 The location of the fencing from residential properties in West Street is between approximately 62m near to the driving range building and 163m at its southernmost point. There is planting to the west side of West Street and from this side due to the planting and the angle of view it would be somewhat screened by planting along this boundary. However, it is officer opinion that the fencing will be visible through the accesses and above the planting from some view-points. The applicant has submitted some indicative images to show the fencing and towers from the east side of West Street. The Design Officer has advised that the height and appearance of the lattice towers that enclose the driving range are out of character with the surrounding area but the level of harm

to the character and appearance of the area is considered to be less than substantial. In response to this the applicant has advised that the fencing is to be reduced to 30m in height. Amended plans are required to show this and any such plans will be reported to committee. Members will have to decide whether the visual impact of the fencing and lattice towers is acceptable.

13.14 The Design Officer has advised that landscaping proposed within the car parking area will soften the amount of parking however concrete blocks rather than tarmac should be used for the parking bays to improve the visual appearance. The Design Officer does not support the high brick wall between the outside eating area and the car park and considers that this should be a low wall with landscaping to the edges. Overall, the Design Officer is of the view that the building design and materials seek to achieve a high-quality design although concerns remain about the height and visibility of the 17 metal lattice towers that enclose the driving range.

13.15 It is officer opinion that on balance the proposed Big Shots building, maintenance shed and car parking and servicing areas are acceptable and accord with Local Plan policy DM6.1.

14.0 Highway and Parking Issues

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

14.2 The NPPF at paragraph 109 states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

14.3 Policy S7.1 General Infrastructure and Funding of the Local Plan states that 'The Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. New development may be required to contribute to infrastructure provision through planning obligations and/or CIL.

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

14.5 The applicant has submitted a Transport Assessment (TA) and Addendum that has looked at the local highway network along with sustainable modes of transport. The Transport Assessment states that:

- Proposed car parking for staff and visitors is in line with North Tyneside Council's SPD on Transport and Highways. The car park off Rheydt Avenue

servicing the existing golf course will no longer be used. This is an improvement in highway terms in particular for safety as vehicles will no longer have to pass Western Community Primary School.

- 20 covered cycle parking spaces will be provided for visitors and staff.
- A Construction Environmental Management Plan (CEMP) will be produced setting out how construction traffic will be managed to reduce disruption to residential and in the vicinity of Western Community Primary School.

14.6 The TA has concluded that:

- The proposed development has good levels of accessibility on foot or by bike to a range of local residential estates. There are six bus stops on West Street and regular bus services to a range of residential areas, such as North Shields, Cramlington, Newcastle International Airport and Kingston Park, which are further away. Wallsend metro station can be reached within 20 minutes on foot which provides access to Newcastle and South Shields. Overall, the accessibility of the proposed development site is considered to be very good.
- The local road network can accommodate the additional traffic flows generated by the proposed development.
- The additional traffic impacts are not severe.

14.7 Residents have raised objections to the proposal relating to the likely increase in traffic with the two proposed accesses on West Street, which is already a busy road particularly from the school, and business traffic in the peak rush hour times when there is queuing on West Street from Devonshire Gardens. Residents living on West Street already face challenges accessing and leaving their drives and are of the view that the new accesses on West Street will increase accidents and have highway safety issues particularly the proximity of the southern access to the junction of West Street and Dorset Avenue; impact on safety of schoolchildren and pedestrians on their way to and from school; where both accesses are close to bus stops; where residents cars are parked on the street: and from increased delivery vans and wagons. Some residents are of the view that the existing access from Rheydt Avenue should be used rather than creating two new accesses and therefore increasing traffic on West Street. Objections of residents are set out more fully in Appendix 1.

14.8 Access is proposed off West Street. The southerly access will provide ingress to the service area and the northerly access will provide access to and from the building and egress for service vehicles. 193 car parking spaces plus 9 disabled spaces are proposed to the north of the main building and a further 47 spaces plus 2 disabled spaces are proposed along the service road near to the maintenance building potentially for staff and maintenance vehicles. A total of 251 car parking spaces are proposed. 20 covered cycle parking spaces are proposed to the front of the building.

14.9 The Highways Network Manager has advised that the site is currently accessed via Rheydt Avenue, a non-adopted road to the south of the golf course which also serves Wallsend Boys Club & the former Wallsend Sports Centre site. The proposed access is via West Street which provides a more direct access to the A1058 Coast Road. The Road Network Manager has also advised that taking into consideration the submitted Transport Assessment, in terms of capacity, the impact of the proposed development on the local highway network is not

significant, given the long established use on the site, however due to additional vehicles accessing the site from the Coast Road and Devonshire Gardens junction, a highway safety scheme would be appropriate for the Coast Road southern on-slip road. The Framework Travel Plan will have to be developed when the operations commence on site. The Highways Network Manager has advised that the submitted parking, cycle parking and internal layout of the site meets the needs of the development.

14.10 The Public Rights of Way Officer and Cycle UK have commented that the bridleway from Cherrywood to the existing golf clubhouse requires improvements and needs to be extended to the new building, but this would be through part of the reconfigured golf course. It is considered that improvements to and extension of the bridleway are not appropriate or reasonable.

14.11 It is officer advice that the proposed development is acceptable in terms of accessibility by different modes of transport and for parking and that the impact from the proposed development on the road network would not be severe. It is officer advice that a highway safety scheme would be appropriate for the Coast Road southern on-slip road. Members must decide whether they agree with this opinion.

15.0 Impact on residential amenities

15.1 Paragraph 180 of NPPF states that 'planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment' and 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.' and 'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'.

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

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

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

15.5 The applicant is proposing a leisure facility which includes a driving range with 54 bays, restaurants, bars, function rooms and facilities for the golf club

which is located closer to West Street and existing residential properties than the existing golf club and driving range.

15.6 The overall internal building floor area is approximately 4602 sqm. The driving range bays are 1849sqm, the golf club area is 206 sqm, bars and restaurants 646 sq m, function rooms 482 sqm and a golf shop 368 sqm.

15.7 Noise

15.8 The applicant proposes opening hours of the facility as:

- Monday to Wednesday 9am to 10pm
- Thursday 9am to 11pm
- Friday and Saturday 9am to 1am (for functions and events as required)
- Sunday 9am to 10pm
- The Golf Clubhouse will be open from 7.00am

15.9 The function rooms will be used for

- Corporate/conferencing typically midweek daytime use. The function rooms will be used in conjunction with the driving bays.
- Weddings/christenings/private gatherings typically weekend afternoon and evening finishing between 11pm and 1am. Potentially up to 30 times a year.
- Children's parties, typically early evening during weekdays and daytime at the weekend. The function rooms may be used in conjunction with the driving bays.
- Golf society/social function use using first floor function room with the western side terrace overlooking the golf course. Typically midweek afternoon use. The function rooms may be used in conjunction with the driving bays.

15.10 There is also an external terrace outside the ground floor restaurant facing the car park. The first-floor drawings also show small terraces adjacent to the function rooms.

15.11 The applicant has submitted a noise assessment and concluded that:

- The background noise levels are relatively high during the day and night-time from the West Street and the Coast Road.
- External plant noise does not exceed background noise levels and recommends that external plant should be located on the roof on the western side of the development away from residential receptors.
- Following assessment of the potential impact of amplified music events, car park activity after an event at night and background music from the driving bays against existing background and ambient noise levels, the impact would not be significant at existing residential properties on West Street and recommended mitigation measures to control break out noise from the venue, during events.

15.12 Residents have objected to the proposed development on the grounds of noise from additional traffic, comings and goings, events, bar's music, patrons' voices, car doors slamming day and night, during construction. Also, that the loss of planting will reduce the noise barrier; the noise generated will cause sleep disturbance; and increased noise will impact on wildlife. Residents object to hours of opening of facility including the maintenance building.

15.13 A maintenance shed of 654 sqm floor area where servicing and repairs of ground maintenance equipment will take place, is proposed between the driving

range and West Street. A maintenance yard where there is a pump house, a wash down area and a 2m high water tank, is proposed next to the maintenance shed. The applicant has requested that these will be operational April to September from 6am to 2.30pm and October to March 7am to 3pm.

15.14 Environmental Health have concerns with regard to early morning noise from grass cutting. The applicant has advised that the number of greens requiring cutting near West Street has been reduced due to the location of the proposed buildings and servicing and parking areas. The applicant has advised that noise levels in proximity to West Street from grounds maintenance will actually be less as a result of the development and golf club work schedules can be amended so that work starts further away from West Street early in the morning and work nearer to West Street can be commenced later after 7.30am. Environmental Health have advised that a condition should be imposed to require a noise management plan to provide for grass cutting activities to ensure that the greens located adjacent to West Street are cut after 7am Monday to Saturday and after 9am Sundays.

15.15 The Manager of Environmental Health had concerns about potential noise arising from the development including from the car park during the late evening and night period when customers would leave at the end of a function, background music from the golf driving bays and plant noise. The applicant has advised hours of operation as set out above including up to 1.00am on Fridays and Saturdays for functions and events as required. The applicant has provided additional information on the potential assessment of noise from raised voices, car radios and slamming of doors when guests leave the premise.

15.16 The Manager of Environmental Health has advised that the applicant has provided additional information on the potential assessment of noise from raised voices, car radios and slamming of doors when guests leave the premises. This has indicated that potential noise arising from the assessment of a similar function would not give rise to noise levels generated within the car park. They recommended a condition to require a noise management plan for controlling noise from customers leaving the venue and use of the car park if the operating hours are to be permitted to 1am on a Friday and Saturday.

15.17 Background music for the golf driving bays has been assessed based on a typical level of 68dB(A) for each speaker within the bay. The applicant has requested that the condition for the background music for the bays is set at 78dB(A). It is noted that there are 54 golf driving bays, 27 on each floor which are being requested for use until 23:00 hours. Environmental Health are concerned that voices would be raised above the music. During golf parties there is the potential for large groups of customers to be congregated in the golf driving bays and this will give rise to significant noise from loud voices. Environmental Health had advised that the golf bays needed to be restricted to no later for use until 21:00 hours and the ground floor are permitted for use until 23:00 hours provided with acoustic fencing to screen noise from this area for residential properties on West Street.

15.18 The applicant has responded to the latest Environmental Health comments by stating that in light of the noise report and the background noise levels and

noise predictions do not justify the restriction to 68dB(A), acoustic screening and restricting use to 9pm. They advise that if a condition is required, a validation assessment once the building is fully operational may be suggested instead however they do not consider that a restriction on the hours of operation of the driving range to 21:00 is necessary. Environmental Health have recommended a revised condition which requires a noise assessment and mitigation measures to be implemented in order to ensure background noise levels are not exceeded.

15.19 It is considered that the conditions as suggest by Environmental Health are appropriate and necessary to deal with the potential impact from noise in order to protect neighbouring residents.

15.20 Lighting

15.21 The applicant has submitted a Lighting Assessment which considers external lighting at the proposed development and indicates that luminaires are to be mounted to the first floor driving range canopy. The assessment has been carried out to assess light spillage between the hours of 07.00 and 23.00 and concludes that obtrusive light trespass will be low at site boundaries near existing residential receptors. The lights are focused on the driving range which is also situated at an angle away from residential properties in West Street.

15.22 The applicant has advised that the proposed hours of operation of the facility will be 9am to 1am Friday and Saturday (for functions and events as required). The lighting assessment does not address hours for the driving range beyond the pre-curfew time of 23.00 hours.

15.23 Residents have objected to the proposed development on the grounds of impact from the lighting from the car park, main building, walkways and driving range on residential properties in West Street.

15.24 The Manager of Environmental Health has advised that the lighting assessment has indicated that the nearest sensitive receptors will not be subject to any increase in lighting levels at residential facades from lighting from the proposed development and therefore if the application is approved recommends that external lighting be implemented in accordance with the lighting assessment.

15.25 Air pollution

15.26 The applicant has submitted an Air Quality Assessment relating to construction and operational phases. Mitigation measures are proposed for the construction phase and the applicant has concluded that the air quality effects from traffic generation from the proposed development would be negligible and not significant.

15.27 Objections have been received on the grounds of the impact of air pollution from traffic from the development and particularly for school children using West Street to get to school.

15.28 The Manager of Environmental Health has advised that any risks from dust and fine particulates arising from the construction phase can be mitigated through a conditioned dust management plan. The Manager of Environmental Health has advised that she agrees with the findings of the air quality report that

air quality during the operational phase will be negligible and not significant based on predicted traffic movements.

15.29 No information has been submitted regarding odour control from the kitchen areas for the restaurant areas. Potential odours could impact on nearby local residential properties. The Manager of Environmental Health has advised that details of plant including any extraction vents, air ventilation systems, refrigeration and odour suppression including maintenance can be conditioned.

15.30 It is officer advice that the impact of the proposed development on the amenity of nearby residential properties in terms of noise, lighting, air pollution and odours would be acceptable with appropriate mitigation and subject to conditions required by the Manager of Environmental Health and therefore the proposal would accord with the NPPF and policies S1.4, DM5.19 and DM6.1 of the Local Plan.

16.0 Drainage

16.1 The NPPF states that, when determining planning applications, LPA's should ensure that flood risk is not increased elsewhere; applications should be supported by a site specific flood-risk assessment; and development should only be allowed in areas at risk of flooding where the development amongst other things is appropriately flood resistant and resilient and incorporates sustainable drainage systems.

16.2 Relevant policies in the Local plan are Policy DM5.12 Development and Flood Risk, Policy DM5.14 Surface Water Run Off and DM5.15 Sustainable Drainage.

16.3 The applicant has submitted a Flood Risk and Drainage Assessment. Northumbrian Water has no objection to the surface and foul water flows provided the development is carried out in accordance with the submitted information.

16.4 The Drainage Officer (Lead Local Flood Officer) has no objections to the proposed development as the surface water from the car park, access areas, driving range and building will drain satisfactorily into the proposed drainage system through a bypass separator to remove any pollutants, and will then discharge into a dedicated SUDS attenuation basin. The surface water from the attenuation pond will discharge into Wallsend Burn. The Drainage Officer has recommended a condition relating to details of the maintenance regime for the bypass separator and surface water attenuation pond.

16.5 It is officer advice that that the proposed development would not have an adverse impact on flooding and would accord with the advice in NPPF and policies DM5.12, DM5.14 and DM5.15 of the Local Plan.

17.0 Aviation Safety

17.1 The applicant has submitted a Bird Strike Risk Assessment which looks at the impact of the creation of open water within development that could attract birds that would cause the increased likelihood of bird strike to aircraft flying at a lower level in and out of Newcastle International Airport. Two new ponds and a

SUDS are proposed within the reconfiguration of the golf course. Newcastle International Airport have advised that it has no objection to the proposed development provided the measures outlined in the BSRA are delivered.

17.2 The Airport has advised that if the application is approved then conditions should be imposed relating to the implementation of the Bird Strike Risk Assessment, to the two ponds being netted until common reed planting has matured and the Airport receives written confirmation that the SUDS will be netted before vegetation is established and details of SUDS drainage times. The Airport is also concerned that certain types of landscaping can be bird attracting, providing a habitat/ feeding source for birds with the potential to result in an increase in bird strike incidences and therefore recommends a condition that species within the landscape scheme which provide a food supply in the form of fruit, nuts and berries should not be used in quantities greater than 10%. The Airport has also recommended conditions relating to use of cranes during construction, use of photovoltaic panels in the building and lighting.

18.0 Planning Obligations and CIL

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

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

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

18.4 Contributions have been requested by the employment and skills service for apprenticeships or 0.5% of capital cost of the proposed development. Policy DM7.5 Employment and Skills of the Local Plan states that the Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training including apprenticeships that are related to the proposed development.

18.5 The applicant has agreed to provide three golf course apprenticeships and 3 hospitality apprenticeships over a nine year period. This can be secured by a condition and it is not necessary to enter into a S106 legal agreement.

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

19.0 Local Financial Considerations

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

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

20.0 Conclusion

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

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

RECOMMENDATION: Application Permitted

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

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

Conditions/Reasons

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

Proposed Location Plan 25520 1005 P01
Proposed Site Plan 25050 1010 P01
Machinery Shed Plans and Elevations 25520 1115 P01
Course Layout Proposed Contours
Course Layout Proposed Layout
Proposed site section 25520 1140 P02
PR Elevations 25520 1155 P01
PR 3D Perspective Views 25520 1156 P01
Planting Strategy Plan West 1576-1-3A REV G
Planting Strategy Plan East 1576-1-3A REV G
Tree Translocation Strategy 1576-1-5 REV D
PR Ground Floor Plan 25520 1110 P03
PR First Floor Plan 25520 1111 PO3
PR Roof Plan 25520 1112 PO2
Elevation Driving range fence
Plan Driving range fence
Plan of restaurant covers
Contour Plan

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

2. Standard Time Limit 3 Years FUL MAN02 *

3. No development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

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

4. Restrict Hours No Construction Sun BH HOU00 *

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

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

6. Prior to the commencement of the construction of any building above ground level, details of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

7. Prior to the commencement of construction works details of the maintenance regime for the bypass separator and the surface water attenuation pond shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

Reason: The site is located within an area identified in the Local Plan as being of potential archaeological interest and the publication of the results will

enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 199 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

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

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

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

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

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

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

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

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

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

- Provision of new accesses

- Closure of existing access & reinstatement to footpath

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

- Upgrade of footpaths abutting site

- Associated street lighting

- Associated drainage

- Associated road markings

- Associated Traffic Regulation Orders

- | | | |
|------------------------------|--------|--------------------|
| 22. Turning Areas Before Occ | ACC025 | *delivery vehicles |
| 23. Wheel Wash | SIT008 | * |

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

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

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

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

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

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

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

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

28. 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.

29. No construction of the building above damp proof floor level shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy DM5.9 of the North Tyneside Local Plan.

30. No construction of the building above damp proof floor level shall take place until details of any refrigeration plant to be installed in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter only be installed in accordance with the approved details and permanently retained as such.

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

31. No construction of the building above damp proof floor level shall take place until details of the air ventilation systems have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied in accordance with the approved details and permanently retained.

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

32. Prior to the commencement of the building above damp proof level, details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

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

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

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

34. Noise No Tannoys Externally Audible NOI002 *

35. The rating level for all plant must not exceed the current background noise levels as provided in noise assessment report reference NT14003 of 50 dB LA90 1 hr daytime and 40 dB LA90 15 min for night time, when assessed in accordance to BS4142 at the front facade of residential properties on West Street. It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant.

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

36. All plant and machinery shall be enclosed with sound insulation materials in accordance with a scheme to be submitted to and agreed by the Local Planning

Authority in writing prior to its installation and the plant and machinery shall not be used until the approved soundproofing has been implemented. This scheme will include details of the noise levels expected to be created by the combined use of external plant and equipment to ensure compliance with the noise rating level. The development shall be carried out in accordance with the agreed details.

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

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

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

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

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

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

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

40. Details of the volume control system must be submitted to and approved in writing to the Local Planning Authority to ensure the background music level for the golf driving bays achieves a level of 78 dB LAeq for each of the speakers at 2m. It will be necessary following installation of the volume control system that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to its operation.

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

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

assessment of the noise levels shall be undertaken and any further mitigation measures agreed.

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

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

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

43. The external seating area shall only be used between 08:00 to 21:00 hours.

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

44. Prior to commencement of the use hereby permitted, a noise management scheme for the operation of the grass cutters for the golf course shall be submitted to and approved in writing by the Local Planning Authority that includes for access of the maintenance shed and ensure the cutting of the golf greens located adjacent to West Street occur between 07:00-21:00 hours Monday to Saturday and 09:00 - 21:00 hours on Sundays. This shall include a plan identifying the golf greens to be restricted. The development shall be carried out in accordance with the approved scheme.

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

45. Maintenance activities occurring within the maintenance shed shall only take place between 08:00-21:00 hours Monday to Saturdays and 09:00-17:00 hours on Sundays and Bank Holidays.

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

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

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

47. Prior to any works starting on site, (including demolition and all preparatory work), an Arboricultural Impact Assessment (AIA) and Arboricultural Method

Statement (AMS) in accordance with the recommendations of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' shall be submitted to and approved in writing by the Local Planning Authority in order to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees. The Method Statement is to include the following:

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

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

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

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

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

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

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

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

48. Prior to the commencement of any site clearance works in connection with the development hereby approved (including demolition/excavation works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), the trees within or adjacent to and overhang the site that are to be retained are to be protected by fencing and in the locations in the Tree Protection Plan (TPP). No operational

work, site clearance works or the development itself shall commence until the fencing is installed. The protective fence shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority. The protective fence is NOT to be repositioned without the approval of the Local Authority.

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

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

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

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

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

51. Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. Hours of lighting associated with the driving range will be restricted to avoid key periods for bat activity (sunset and sunrise) and retaining connected dark corridors for bats species throughout the site. The lighting scheme shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting

engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and

- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

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

Reason: In the interest of visual amenity, highway safety and to ensure that local wildlife populations are protected having regard to policies DM5.19 and DM5.5 of the North Tyneside Local Plan (2017) and the NPPF

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

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

53. Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details of :

- The number of existing trees to be translocated and details of their planting;
- The area to the north east of the site planted up as mitigation;
- Details and extent of new native woodland structure planting including edge mix and infill planting
- Details of wildflower meadow understorey and grassland creation
- Proposed timing of all new tree, shrub and wildflower grassland planting and ground preparation noting the species and sizes for all new plant species
- New standard tree planting including TPO replacement trees, to be a minimum 12-14cm girth.
- No more than 10% of planned planting will be berry bearing, bird attracting species (in accordance with the requirements of Newcastle Airport)

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 ten years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

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

54. Prior to the commencement of any development, a detailed ten year 'Management and Maintenance Plan' for the long-term management of landscaping and wildlife habitats within the application site shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed or paved areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

61. Any areas of dense vegetation, refugia or potential nests for hedgehogs, will be checked and removed under supervision of the Ecological Clerk of Works (ECoW). Brush piles will not be removed between November and February or where temperatures are below 5 degrees Celsius to avoid disturbing hibernating hedgehogs. Provision of hedgehog gaps (13cmx13cm) will be provided within any new fencing within the scheme.

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

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

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

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

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

64. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of 10no. bird boxes (open fronted and hole fronted) to be installed at suitable locations in

the development site, including specifications and locations, as well as 2no. swift boxes and 4no. swallow and house martin nest cups to be incorporated onto the new build in suitable locations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, these agreed details shall be installed prior to the occupation of the dwelling(s) on which they are to be installed and permanently retained.

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

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

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

66. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved

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

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

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

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

68. Detailed drainage plans, including details of ditches, swales and attenuation ponds must be submitted in writing to the Local Planning Authority for approval within 4 weeks of works commencing. Details will include profiles, cross sections and planting of SuDs features. Any ditches, swales or attenuation ponds will be designed to provide ecological benefits, including appropriate native planting agreed by the LPA. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

72. Prior to the commencement of the use of the development hereby approved, details of a scheme to provide three golf course apprenticeships and 3 hospitality apprenticeships over a nine year period shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In order to ensure employment opportunities are provided as a result of the scheme having regard to the Planning Obligations SPD.

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

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

Informatives

Contact ERH Construct Highway Access (I05)

Contact ERH Path Bridleway Xs Site (I07)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

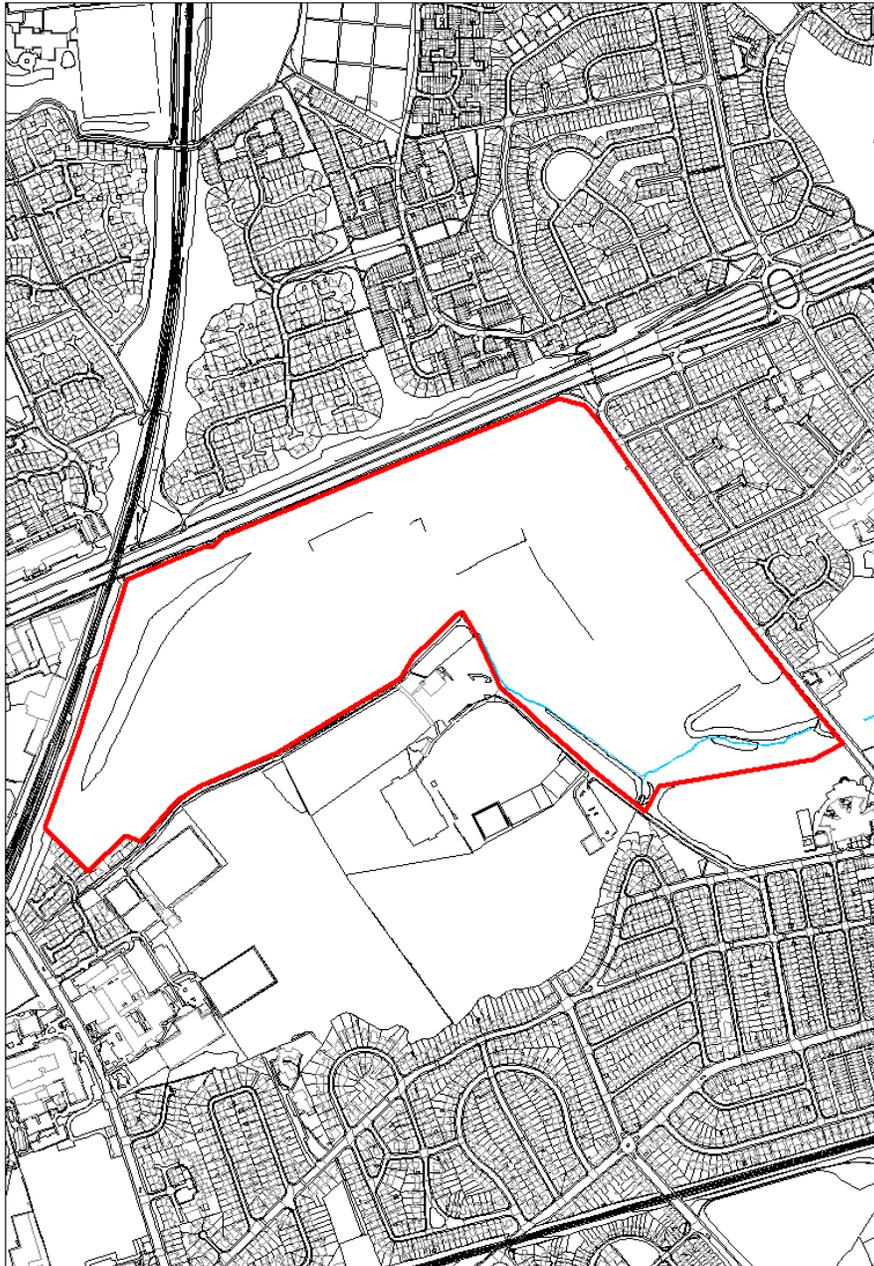
Highway Inspection before dvlpt (I46)

Building Regulations Required (I03)

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

Free and full access to the Public Right of Way network is always to be maintained. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer.

Prior to the commencement of works and upon the completion of the development the developer shall contact the council's Public Rights of Way Officer to enable a full inspection of the routes affected to be carried out. The developer will be responsible for the reinstatement of any damage to the network arising from the development.



Application reference: 19/00833/FUL

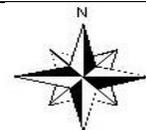
Location: Centurion Park Golf Club, Rheydt Avenue, Wallsend

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

Not to scale

Date: 05.03.2020

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**Appendix 1 – 19/00833/FUL
Item 1**

Consultations/representations

1.0 Internal Consultees

2.0 Highways Network Manager

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

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

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

Parking, cycle parking and the internal layout has been provided to meet the needs of the development

For the reasons outlined above and on balance, conditional approval is recommended.

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

Provision of new accesses

Closure of existing access & reinstatement to footpath

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

Upgrade of footpaths abutting site

Associated street lighting

Associated drainage

Associated road markings

Associated Traffic Regulation Orders

Associated street furniture & signage

Conditions are recommended relating to details and implementation of the new accesses, visibility splays, turning areas, parking, secure undercover cycle parking, off-site highway works, refuse storage, construction method statement, wheel washing, car park management strategy, electric vehicle charging points, taxi and private hire servicing plan, servicing and refuse management plan and Travel Plan.

And the following Informatives:

I05 - Contact ERH: Construct Highway Access
I07 - Contact ERH: Footpath/Bridleway X's Site
I08 - Contact ERH: Works to footway.
I10 - No Doors/Gates to Project over Highways
I12 - Contact ERH Erect Scaffolding on Rd
I13 - Don't obstruct Highway, Build Materials
I46 - Highway Inspection before dvlp

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

Free and full access to the Public Right of Way network is always to be maintained. Should it be necessary for the protection of route users to temporarily close or divert an existing route during development, this should be agreed with the council's Public Rights of Way Officer.

Prior to the commencement of works and upon the completion of the development the developer shall contact the council's Public Rights of Way Officer to enable a full inspection of the routes affected to be carried out. The developer will be responsible for the reinstatement of any damage to the network arising from the development.

3.0 Lead Local Flood Officer

3.1 No objections to the proposals. The applicant will be capturing the surface water from the access road & car park area by a combination of slot drainage channels and gullies which will pass through a bypass separator to remove any pollutants from the captured surface water. The proposed drainage for the driving range will utilise lateral drains which will drain into a perimeter carrier drain. The main building's drainage will link into this drainage network. The surface water from these areas will then discharge into a dedicated suds attenuation basin which will store surface water for up to a 1in100 year rainfall event plus climate change. The surface water from the attenuation pond will then discharge into the Wallsend Burn at the equivalent greenfield run-off rate of 20 l/s controlled by an orifice plate.

3.2 I would recommend that a condition is placed on the application requesting details of the maintenance regime for the bypass separator and the surface water attenuation pond prior to the commencement of the development.

4.0 Public Rights of Way comments

4.1 A contribution is required to upgrade the Bridleway that links Cherrywood in Newcastle City to the existing golf clubhouse.

5.0 Landscape Architect & Biodiversity Officer

5.1 The above development site is part of Wallsend Golf Club and is located south of the A1058 Coast Road with housing to the east, Wallsend Boys Club, Rheydt Avenue and housing to the south and industrial units and a railway line to the west of the site. The site proposed for development is within the current golf

course which contains large areas of semi-mature woodland, scrub and hedgerow planting throughout the site, approximately 40 to 45 years old. Large areas of the woodland structure planting to the boundaries of the site are also protected by a Tree Protection Order (TPO). A watercourse also runs through the site along the southern boundary.

5.2 The proposal is to create a new sport and entertainment facility that includes a driving range with associated car parking including bar/restaurant, golf shop, golf academy, changing facilities, new access and reconfiguration of the existing golf course. The creation of a driving range also includes car parking, 35m high nets and associated supporting structures (pylons) around the driving range and the installation of flood lighting. New drainage is to be installed together with a SUD's system that connects into the existing water course. The facility will operate between 07:00 and 23:00 on weekdays and 07:00 to 01:00 on weekends and will also include music being played between these operating hours.

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

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

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

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

5.6 A number of additional documents and information has been submitted since initial advice was provided on the 9th October 2019. These documents are listed

below and have been assessed in conjunction with previous information that has been submitted.

5.7 Additional information has been provided by the applicant by way of:

- Golf Course Planting Strategy Plan West 1576-1-3a Rev G December 2019
- Golf Course Planting Strategy Plan East 1576- 1-3b Rev G December 2019
- Golf Course Tree Translocation Strategy 1576-1-5 Rev D December 2019
- Landscape Strategy Plan 1576-1-1 Rev G; December 2018
- Landscape and Ecology Mitigation and Management plan (LEMMP) December 2019
- Mitigation Hierarchy December 2019
- Ecological Appraisal December 2019

5.8 Initial pre-application advice was provided for this scheme as part of a pre-application submitted in 2018. The applicant was advised, as part of this consultation, to design a scheme that minimised any impacts on the semi-mature woodland within the site. However, the scheme that has subsequently been submitted, has not **fully** considered the pre application advice and the proposal to construct a large driving range in the central part of the site, changes to site contours to re-configure the fairways and the installation of a large SuDs pond, will require the removal of approximately 2.73ha (27,300m²) of good quality native broadleaved woodland, including woodland protected by a TPO.

5.9 Preapplication responses were as follows:-

Landscape Advice

'The impacts of the development on the TPO are not clear and the tree loss far outweighs the level of mitigation, with no net gains in biodiversity and landscape.

The existing tree structure to the site should be retained and protected with the layout designed so that there is minimal tree loss. The principle of development on this site as presented is not supported and the scheme would need to meet Local Plan policies in order for the scheme to be acceptable.'

Ecology Advice

'The current scheme would result in the loss of greenspace, impacts on the wildlife corridor and would result in the loss of extensive areas of habitat without an adequate level of mitigation. The full impacts of the scheme cannot be determined at this stage without full ecological impact surveys. It is unlikely that a scheme on this site would be supported (as presented) as it would fail to meet the above policies and would result in ecological impacts that are unacceptable.'

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

5.10 The applicant (at the request of the LPA) has submitted a statement regarding the Mitigation Hierarchy to set out how the application has followed the sequential hierarchy of:-

1. Avoiding Impacts;
2. Minimising Impacts; and
3. Mitigate & Compensate Impacts.

5.11 Avoidance

Avoidance is the first step in the mitigation hierarchy. It is the complete mitigation of an impact, by preventing it from happening and ensuring no environmental damage. The information submitted by the applicant to address the 'Avoidance' issue relies on the accessibility, prominence and flood risk issues of the existing golf course site. However, it is believed that these issues could have been resolved on this current site or an alternative location for the new driving range could have been found, thereby completely avoiding the impacts of the current scheme to large areas of existing woodland and the wildlife corridor. The information provided by the applicant has not adequately addressed this.

5.12 Minimising

Minimising impacts involves taking steps to ensure minimal damage is done to the environment. The applicant states in this section that the re-design of the proposed site plan has reduced impacts on the TPO woodland as well as minimised the loss of the existing broadleaf woodland. Woodland loss has been reduced from 3.35ha down to 2.73ha, which equates to reducing this woodland loss by 6,200sqm (0.6ha). However, 27,300sqm of woodland will still be lost within a wildlife corridor and the scheme could have substantially minimised this woodland loss by considering alternative design options that offer the same recreational experience but with a smaller facility (driving range).

5.13 Mitigation/Compensation

Planting Strategies for the site as well as a 'Landscape & Ecology Management Plan' indicate new woodland structure planting, translocation of some existing good quality trees within the site as well as wildflower areas and bird and bat boxes. The total area of native woodland structure planting to be provided to mitigate for woodland loss within the site is 3.64ha (36,400sqm) and 1ha (10,209sqm) of wildflower understorey/ grassland. This provides a net woodland area of approximately 0.9ha (9000sqm), however, the majority of this planting will consist of juvenile trees that will take approximately 18-20 years to reach the maturity of the existing woodland being lost or to provide the same ecological and carbon offsetting benefits.

5.14 The direct impacts associated with this scheme include: -

- The loss of 2.73ha (27,300 sqm) of native broadleaved woodland including trees protected by a preservation order (TPO)

5.15 The indirect impacts are:-

- Impacts to a designated wildlife corridor as result of habitat loss and associated disturbance including noise, lighting and 35m high netting and pylons;

- Impacts to wildlife as result of habitat loss, disturbance and fragmentation of the corridor; and
- Potential further impacts on existing trees resulting from land level changes associated with the proposed 'Contours Plan'.

5.16 National Planning Policy Guidance (NPPF) is clear regarding sustainable development, setting out three overarching objectives; - economic, social and environmental. The environmental objective is to "*contribute to protecting and enhancing our natural environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*"

5.17 In addition to the loss of woodland which reduces the habitat available for wildlife within the site (e.g. in bats and birds) there will be additional impacts on the wildlife corridor associated with the driving range that includes the provision of 35m high netting, floodlighting and noise (primarily from music).

5.18 Planning Policy:

North Tyneside Council adopted the Local Plan which sets out a number of policies to ensure sustainable development within the borough and development of this site is guided by the following policies:

Policy DM 5.9 Trees, woodland and hedgerows

Policy S5.4 Biodiversity and Geodiversity

Policy DM5.5 Managing Effects on Biodiversity and Geodiversity

Policy DM5.7 Wildlife Corridors

5.19 With regard to the policies, these should be considered as a material consideration in determining the application. Comments in relation to these policies are set out below:-

Policy DM 5.9 Trees, Woodland and Hedgerows

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

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

b) Protect and manage existing woodland, trees, hedgerows and landscape features.

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

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

5.20 The above policy clearly states the Council will '*Protect and manage existing woodland, trees, hedgerows and landscape features*'. This development will require the loss of approximately 2.73ha of good quality broadleaved woodland, some of which, is protected by a Tree Preservation Order (TPO).

5.21 The TPO has been served on the trees to the boundaries of the Wallsend Golf Course to protect trees which make a significant contribution to their local surroundings or where their loss would have a significant impact on the environment and their enjoyment by the public.

5.22 A tree survey and Arboricultural Impact Assessment has been submitted that categorises the quality of the trees. The tree groups that will be lost and protected by the TPO are Category B (moderate quality that are suitable to be preserved) and C (low quality) as defined by British Standard 5837:2012.

5.23 The assessment shows that a large proportion of the woodland groups being lost or partially lost are Category B trees. More importantly, the large areas of woodland being removed to facilitate the golf driving range in the central part of the site, are Category B.

5.24 Trees which have been categorised as category B, are trees that are suitable for retention. The sub group (2) recognises the trees as having 'landscape qualities' i.e. *'Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality'*. Category B trees particularly if protected by a TPO, have value and are important enough to be considered a constraint to development and consequently should be retained.

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

5.26 The tree groups that will be lost and protected by the TPO are G31(B), G32(C-part) G33 (B-part), G35 (B-part), G36 (B-part) G39(C-part) and G40 (C part). The category C trees (32, 39 and 40) have been given 20 years and 40 years plus remaining estimated contribution. According to the quality chart in BS5837:2012, these tree groups, could potentially, be graded as better quality.

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

provide high visual amenity and landscape value that makes them worthy of protection and retention.

5.28 The trees within the site, whilst have no public visibility are just as valuable. Overall, the physical state of the tree groups within the site is good, they are not in decline and the landscape is visually and functionally intact. The landscape has not experienced any decline in quality, but the proposed development site offers changes that could impact the wildlife corridor and an alteration to character. This woodland has matured over time into a good quality broadleaved woodland which supports a variety of native tree species and canopy heights with associated shrubs and herb layers which make these areas valuable. The woodland provides valuable habitat for a range of wildlife species including foraging and commuting bats, breeding and foraging birds, small mammals and invertebrates. Dead wood and decaying leaf litter are evident in the woodland and there are visible signs of regeneration and small areas of open glades. These woodland areas are therefore, valuable habitats, supporting wildlife and contributing to the quality and connectivity of the wildlife corridor.

5.29 The value of trees to humans, wildlife and the environment is well recognised. Trees are an important feature in urban and rural landscapes and make a significant contribution to the character and quality of our landscape. The importance of retaining and protecting trees in the landscape is now being recognised as playing an important role in absorbing and storing carbon emissions as well as providing screening, filtering traffic noise and absorbing dust and other pollutants. Furthermore, the council has declared a Climate Emergency and is committed to preserving the environment by reducing the council's carbon footprint by 50% by 2027.

5.30 There is the potential for further loss of trees or impacts to trees associated with the contour level changes indicated on the plans, unless appropriate mitigation measures are in place to prevent this. Some of these contour changes for the fairway re-configuration and to create the SuDS on site, are extremely close to retained woodland areas which could result in further tree loss.

5.31 Policy S5.4 Biodiversity and Geodiversity

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

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

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

5.32 The Newcastle & North Tyneside BAP lists a number of habitats and species which are of importance both nationally and locally and require action to prevent their loss. Native Woodland is one of the habitats that are listed with a key action to: *"Maintain the current extent of native woodland. Where development may lead to loss of woodland, ensure adequate mitigation or compensation"*. This scheme does not maintain the extent of native broadleaved woodland on site, with the loss of approximately 2.73ha. However, mitigation has been proposed which includes 3.64ha of native structure planting and 1ha of

wildflower understorey/grassland planting. In the short term, the proposal of 3.64ha of new woodland, the majority of which will consist of juvenile tree planting, will not provide the same ecological and environmental benefits that the current semi-mature woodland provides, however, in the medium term, once this planting matures (approx. 15+ years) there will be a net gain in woodland planting. The applicant is also proposing to translocate a number of existing semi-mature trees within the site to ensure that some of the larger and more valuable specimens are not lost. In addition to tree planting, wildflower understorey/ grassland areas will also be created (approx. 1ha) as well as bird and bat boxes provided within the retained woodland. The SuDs scheme within the site, if designed and planted correctly, may also provide some biodiversity benefits.

5.33 Photos attached to comments showing some of the semi-mature woodland which will be lost to accommodate the golf driving range and the type of planting that will be provided to mitigate the loss of this woodland.

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

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

5.36 The current proposals to remove 2.73ha of woodland will have an impact on a designated wildlife corridor, through habitat loss and indirect impacts associated with lighting and noise (driving range) in an area that is currently unlit and with no built form. The loss of woodland habitat and its impacts have been discussed above. However, there are additional indirect impacts within the wildlife corridor from lighting and noise associated with the driving range. Whilst noise and lighting impact assessments have been submitted and it is acknowledged that light and noise spill into remaining woodland and habitat areas can be controlled to an extent, there will be lighting and noise impacts associated with the driving range itself, an area which is currently unlit and not subject to these levels of disturbance. This will have an impact on the species currently using the site such as bats and breeding birds. In fact, the bat survey report submitted by the applicant recommends minimising hours of lighting to avoid key periods for bat activity (i.e. sunset and sunrise) and retaining connected dark corridors for bats species throughout the site. It would, therefore, be appropriate to restrict the hours of lighting in this area (as suggested above) to ensure impacts on commuting and foraging bats are minimised.

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

5.38 Policy DM5.5 Managing Effects on Biodiversity and Geodiversity

All development proposals should:-

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

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

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

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

5.41 This scheme will result in the permanent loss of approximately 2.73ha of broadleaved native woodland. Mitigation has been proposed by the applicant as shown on planting plans, which includes 3.64ha of native structure planting and 1ha of wildflower understorey/grassland planting. It is also proposed to provide bird and bat boxes throughout the site. In the short term, the proposal of 3.64ha of juvenile tree planting (trees of approximately 1m to 1.5m in height) will not provide the same ecological and environmental benefits (including carbon

storage) that the current semi-mature woodland provides (approximately 9 to 15m in height), however, in the medium term, once this planting matures (approx.15+ years) there will be a net gain in woodland planting. In addition, the applicant is proposing to translocate a number of existing semi-mature trees. The most sustainable alternative is to retain established woodland that currently provides benefits to the environment.

5.42 Some of the mitigation offered by the applicant (e.g. understorey planting and watercourse maintenance) should be on-going active management to ensure that biodiversity conservation alongside a playable golf course is achieved and not seen as a mitigation measure.

5.43 DM5.7 Wildlife Corridors

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

5.44 The entire scheme is within land that is designated as a wildlife corridor as shown on the Policies Map.

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

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

5.47 Noise and artificial lighting within the wildlife corridor, particularly in areas that are currently not subject to these levels of noise and lighting, will have an additional adverse impact on wildlife, the combined effects from noise and lighting generated from the development within a wildlife corridor could potentially continue well into the night-time period. The development will generate noise from ancillary plant and car park activity; amplified music during events (which has the potential to continue well into the night-time period); car park activity after events and background music from the golf driving bays, so noise generated at whatever level, will be constant. Artificial lighting associated with the building and driving range is anticipated to be used within the pre-curfew period of 07:00-23:00. Whilst the report states that ecological habitats along the watercourse to the south of the site are not predicted to experience light trespass, artificial light elsewhere within the wildlife corridor could impact wildlife, particularly foraging and commuting routes for bats. The application of a condition to restrict hours of lighting to avoid key periods for bat activity would help reduce impacts within the corridor. Site works within root protection areas of retained trees could also lead to further tree removal. Conditions can be applied for appropriate engineering solutions which can prevent the common problems of tree damage, dieback or removal.

Conclusion:

5.48 There are a number of environmental concerns associated with this application. Whilst the applicant has made great effort to address issues associated with mitigation by offering improved levels of planting, the benefits of the proposed development need to be firstly considered against the harm it could cause. It is accepted that developments on a scale such as this are rarely without harm but the impacts of the development, as outlined, are an important material consideration and have been carefully considered in accordance with Local Plan policies.

5.49 The development itself might be regarded as desirable, but is not necessarily a material consideration and must have a planning purpose. It is felt that a proposal has been submitted as a final solution which has not fully considered all options or site constraints in the design stage process, particularly when environmental impacts on the site were raised very early at pre-application stage nor reflected in the mitigation hierarchy.

5.50 The desire for a golf driving range and associated facilities in this location, will clearly have detrimental direct and indirect environmental impacts.

5.51 The ecological surveys submitted for the above scheme show the site to be dominated by broadleaved plantation woodland with areas of amenity grass (fairways) that are being used by commuting and foraging bats and a range of common urban birds for breeding, foraging and roosting. The loss of a large area of established woodland is the most significant impact particularly when the Council has declared a climate emergency as part of its commitment to preserve the environment and by reducing the council's carbon footprint by 50% by 2027.

5.52 Whilst information has been submitted regarding the monitoring of the netting for wildlife and a reduction in lightspill outside of the driving range area, there are still concerns regarding the indirect impacts resulting from noise and

the operation of a floodlit facility in a currently dark zone of a wildlife corridor. Consideration must be given to deciding what weight should be afforded to each of these issues. An alternative location such as the existing golf club facility or an alternative site, would enable this recreational facility to be delivered and can provide the same economic prosperity and social benefits that the applicant seeks to achieve without the damaging environmental impacts. Even a smaller facility (which is offered by the same company but not proposed as part of this application) could potentially provide the same recreational benefits, reduced environmental impacts and a more sustainable design solution.

5.53 Pre-application advice has not been followed, nor has the mitigation hierarchy (as described above) been considered sufficiently that comfortably avoids the impacts, rejects alternative sites or considers a smaller facility.

5.54 Whilst the scheme will result in the loss of 2.73ha (27,300 sqm) of native broadleaved woodland, a total of 3.64ha (36,400) of new native woodland has been proposed which in the medium to long term will mitigate for this loss and provide a net gain in woodland of approximately 0.9ha. In addition to this, the translocation of approximately 300 semi-mature trees within the site is proposed, along with the creation of wildflower understorey/grassland areas.

5.55 With regard to lighting, issues relating to the operational times of the driving range must also be considered, to minimise light impacts in key periods (as recommended by the applicants ecological consultant in the Bat Survey Report) so that the wildlife corridor can still function effectively. In addition, it is important that the high netting proposed around the driving range facility is monitored to ensure wildlife is safeguarded and appropriate measures are in place to address any issues associated with this in future.

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

Conditions:

5.57 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.

5.58 Arboricultural Impact Assessment and Arboricultural Method Statement

- Prior to any works starting on site, (including demolition and all preparatory work), an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) in accordance with the recommendations of BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' will

be required in order to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees. The Method Statement is to include the following:

- A fully detailed tree survey in accordance with BS5837:2012; a plan showing trees identified for removal and retention; a schedule of proposed tree works; a detailed assessment of the impact of the development on the trees and any changes in level
- A scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) the type of protective fencing and signage.
- Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees (including the removal of existing structures and hard standings).
- Details of construction within the RPA including hard surfaces and/or scaffolding that may impact on the retained trees including the installation of temporary ground protection
- Details of any construction works and methods of installation required within the root protection area as defined by BS5837:2012 which make provision for protection and the long-term retention of the trees, for the location of any (and not limited to) underground services, carriage way positions, parking areas and driveways, drainage, lighting, fence posts, installation of kerb lines or any structures within the root protection area and /or specialist foundations. Such areas are to be constructed using a 'No-dig' specification and to include works being undertaken by hand or suitable method such as an air spade along with any necessary ground treatments to deal with compacted areas of soil. Details shall demonstrate that any trenches or excavation works will not cause damage to the retained trees and /or root systems of the trees No services shall be dug or laid into the ground other than in accordance with the approved details.
- Details of any changes in ground level, including existing and proposed levels and any retaining structures required within the root protection area as defined by BS5837:2012. Thereafter no changes in levels shall be implemented unless wholly in accordance with the approved details or otherwise approved in writing by the Local Planning Authority. and the effect they will have on finished levels and finished heights.
- Thereafter all construction and excavation works shall be implemented in accordance with the approved details. Any variation to the approved AMS and TTP should be submitted in writing for approval.

5.59 Tree Protective Fencing

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

5.60 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, 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'.

5.61 TPO Replacement Tree(s)

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

5.62 Lighting

- Prior to the installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. ***Hours of lighting associated with the driving range will be restricted to avoid key periods for bat activity (sunset and sunrise) and retaining connected dark corridors for bats species throughout the site.*** The lighting scheme shall include the following information:

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

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

Reason: In the interest of visual amenity, highway safety and to ensure that local wildlife populations are protected having regard to policies DM5.19 and DM5.5 of the North Tyneside Local Plan (2017) and the NPPF

5.63 Protection of trees in relation to levels survey

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

5.64 Protection of land to the north of the site

- No development shall take place to land to the north east of the site that requires any removal of trees.

5.65 Landscape scheme

Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details of :

- The number of existing trees to be translocated and details of their planting;
- The area to the north east of the site planted up as mitigation;
- Details and extent of new native woodland structure planting including edge mix and infill planting;
- Details of wildflower meadow understorey and grassland creation;
- Proposed timing of all new tree, shrub and wildflower grassland planting and ground preparation noting the species and sizes for all new plant species and
- New standard tree planting including TPO replacement trees, to be a minimum 12-14cm girth.

The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. No development shall take place until a schedule of landscape maintenance for a minimum period of ten years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

5.66 Landscape Management Plan

- Prior to the commencement of any development, a detailed ten year 'Management and Maintenance Plan' for the long-term management of landscaping and wildlife habitats within the application site shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped, grassed or paved areas. Thereafter,

these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

5.67 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 approved Arboricultural Method Statement. This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of regular monitoring and compliance by the pre-appointed tree specialist during construction.

5.68 Ecological supervision

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

5.69 Pre-commencement Walkover

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

5.70 Amphibian Method Statement

- A precautionary amphibian working method statement will be submitted to the Local authority for approval prior to works commencing on site. All works will be undertaken in accordance with the approved Plan.

5.71 Birds

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

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

5.72 Mammal Protection

- 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°.

5.73 Hedgehogs

- Any areas of dense vegetation, refugia or potential nests for hedgehogs, will be checked and removed under supervision of the Ecological Clerk of Works

(ECoW). Brush piles will not be removed between November and February or where temperatures are below 5 degrees Celsius to avoid disturbing hibernating hedgehogs.

- Provision of hedgehog gaps (13cmx13cm) will be provided within any new fencing within the scheme.

5.74 Squirrels

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

5.75 Habitat Piles

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

5.76 Bird Boxes

- 10no. bird boxes (open fronted and hole fronted) will be provided in suitable locations within the development site. Details of bird box specifications and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 2no. swift boxes and 4no. swallow and house martin nest cups will be incorporated onto the new build in suitable locations. Details of bird nesting features and their locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing and will be installed in accordance with the approved plans.

5.77 Invasive Species

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

5.78 Bats

- 8no. bat boxes will be provided in suitable locations within the development site. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

- 2no. bat roosting features will be incorporated into the new build either through the provision of internal bat features (bat slates/panels/tubes), gaps under ridge tiles or gaps into boxed in eaves/behind fascia boarding. Details of bat roosting features and their locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing and will be installed in accordance with the approved plans.

5.79 Construction Management Plan

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

5.80 Drainage

- Detailed drainage plans, including details of ditches, swales and attenuation ponds must be submitted to the Local Authority for approval within 4 weeks of works commencing. Details will include profiles, cross sections and planting of SuDs features. Any ditches, swales or attenuation ponds will be designed to provide ecological benefits, including appropriate native planting agreed by the LPA

5.81 Pollution Control

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

5.82 Watercourse

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

5.83 Netting

- Details of a monitoring & maintenance plan for the driving range netting will be submitted to the Local Authority for approval within 4 weeks of works commencing. The driving range netting will be monitored and maintained thereafter in accordance with the approved plan.

6.0 Design Officer

6.1 The applicant has engaged in positive pre-application discussions with the planning authority about the design of the proposal. The building design has been amended through these discussions to reflect previous concerns and to raise the design quality.

6.2 The building is two storeys with a third storey mezzanine level in parts. The overall building height to accommodate this reflects a 3-storey building to the front. Development around the site is generally two storeys and so this building will require significant landscaping to the site boundary to mitigate the impact of the scale and height. In terms of mitigation, it is proposed to provide new planting

that enhances existing tree groups as well as creating new areas of planting, although it is noted that new tree planting will take a number of years to mature.

6.3 There have been previous concerns about the size of the building which still remain, however the applicant has said that the size is dictated by the use. The applicant has attempted to mitigate the impact of the large building through improving the design. For example, single storey elements have been introduced to reduce the visual massing. This has involved recessing first floor sections to create terraces. This approach is also used on the west wing of the building where it meets the golf course and softens the transition from built development to open space. The recessed first floor elements propose a different cladding arrangement to contrast with the principal elevation. This lessens the visual impact whilst maintaining a strong horizontal emphasis.

6.4 The overall design of the building has a contemporary aesthetic which has been specifically designed for the site and surroundings. Materials have been identified to assist with a sensitive high-quality design. The principal cladding is a light colour which is complemented by groups of green cladding boards. Dark grey cladding is used to 'bookend' the building and to make the main entrance a focal point. The building design also includes large areas of glazing and green walls.

6.5 To the south east of the site is a large maintenance shed. This is a simple and functional design which is proposed to be clad in a dark grey material to match the main building. This building has a large foot print and is very high. Further information was requested to understand the need for such a large building; some brief information has been provided which does not fully explain the detailed uses. Significant landscaping is required to ensure that this building does not negatively impact the street scene. The landscape strategy plan shows new specimen tree planting and new native structure planting in this area, which in the long term (once new landscaping has matured) should help to mitigate the views of the maintenance shed. The size and maturity of new planting should be conditioned.

6.6 The car parking area includes some landscaping to soften the amount of parking. Concrete blocks (rather than tarmac) should be used for parking bays to improve the overall design. This can be conditioned.

6.7 The 3D plans show a high brick wall around the front of the restaurant. This is not supported and a low wall with landscaping to the edges should be used. This can be conditioned. There are significant concerns about the proposed 35-metre-high fence around the driving range. The applicant has stated that the mesh fencing is specifically designed to be non-visually intrusive, however there are metal lattice towers (reflecting a slim pylon) every 30-metres. This will cause some visual impact from some viewpoints.

6.8 Existing trees make a significant contribution to the character of the local area and a large number are identified for removal. Some of these trees have landscape qualities and provide a visual and wildlife buffer. The loss of trees will result in a significant change to the character of West Street and means that the site will be more visible within the wider area. Replacement planting will take a

long time to mature. The loss of existing trees will also have impacts on the loss of wildlife species. The Landscape Officer and Ecologist will provide further comments on the impact of the loss of landscaping and the suitability of mitigation measures.

6.9 Overall, the building design and materials seek to achieve a high-quality design. In general, the design is acceptable although concerns remain about the height and visibility of the 17 metal lattice towers that enclose the driving range. I refer this concern to the Case Officer to make an overall balanced judgement for the application.

6.10 Supplementary comments following the submission of CGIs from West Street.

6.11 The height and appearance of the lattice towers that enclose the driving range are out of character with the surrounding area. It is also noted that driving ranges which have been approved in other areas are in a more appropriate setting. The level of harm to the character and appearance of the area is considered to be less than substantial. This could be justified if the design quality of the wider scheme is acceptable and if there are clear public and economic benefits that outweigh the harm.

7.0 Manager of Environmental Health

7.1 a) Pollution

7.2 Comments made August 2019 & October 2019

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

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

7.4 The noise assessment considers potential noise from the use of the car park during the late evening and night period when customers will leave at the end of a function. The assessment has modelled potential noise impacts from the vehicle movements, assumed to be 121 movements between 0000 and 0100 hours. The noise report has not considered maximum noise levels at neighbouring residential properties from raised voices, car radios and slamming doors which may give rise to sleep disturbance, especially if residents have open windows. I would be concerned that any functions occurring late evening with a capacity of 362 people will give rise to significant associated noise from customer

voice and slamming of doors and result in disturbance for neighbouring residents. It is not anonymous noise like passing traffic which is considered less intrusive than unfamiliar distinct noise.

7.5 Noise from plant and equipment located on the roof of the main building has been assessed within the noise report. There has been no consideration for noise arising from the use of the maintenance building. The applicant indicates that equipment will be serviced and repaired within this building and specialised lifting ramps will be utilised. Access to this building will be required as the applicant has stated that access to the maintenance facility will be April to September 0600-1430 hours and October to March 0700-1500 hrs. I would be concerned about potential noise from the maintenance facility and from the use of grass cutters being operated at 0600 hours during the Spring and Summer months when residents will have open windows during the warmer summer months. There has been no consideration of any mitigation proposed to mitigate noise from the maintenance building for early morning access and operations. The applicant has suggested that greens located furthest from the residential properties would be cut first early morning but noise will still arising from accessing of the maintenance building and the starting up of the grass cutters. I would therefore suggest that grass cutting noise and noise arising from the maintenance building can be mitigated by a condition to restrict the times of operation to no earlier than 07:00 hours on Monday to Saturdays and 09:00 hours on Sundays.

7.6 With regard to potential noise from any proposed functions to be held within the restaurant and the function room. The noise assessment has considered noise levels arising from amplified music from the function rooms and the restaurant areas. The predicted noise levels would suggest noise breakout assumes windows and balcony doors are closed as a full mechanical ventilation system will be provided. A condition would be required to ensure a full mechanical ventilation system was installed to negate the need to open doors and windows for ventilation.

7.7 Background music for the golf driving bays has been assessed based on a typical level of 68 dB(A) for each speaker within the bay. The assessment concluded that noise from the music during the day will be at least 21 dB below the background noise level. However, I would have concerns regarding how the level of the background music was to be controlled. A condition will be required for a noise scheme to be provided for the golf driving bays to ensure the background music does not give rise to significant adverse impacts for neighbouring residents.

7.8 The NPPF guidance on noise when considered in relation to Section 180 of the NPPF states that impacts from new developments should "mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life". The applicant has requested operating hours until 0100 hours on Friday and Saturdays. I would suggest that permitting until this time would give rise to significant adverse impacts for neighbouring residents from the associated customer noise such as loud voice and it has not been demonstrated that such noise would be negligible. I would therefore

recommend a condition to restrict the operating hours of the site for functions and use of the restaurant to no later than 23:00 hours as means of mitigating any late night noise from the site.

7.9 The use of external balcony and outdoor areas including the golf driving bays can be controlled via a condition to restrict to no later than 9pm.

7.10 No information has been provided on the restaurant/café for odour control from the kitchen areas. The kitchen extraction system should be based upon the DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Full details on the proposed extraction system needs to be provided to fully determine this application. No system provides 100% removal of odours and this will result in potential odour impacts affecting the nearby residential properties. Information on the maintenance of the extraction system should also be provided. The effectiveness of the extraction system would be dependent upon the type of cooking taking place in the kitchen and the proposed residence time for the air flow.

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

7.12 I would request additional information is provided with customer noise arising from the use of car park use and further details on noise arising from the maintenance building prior to determination.

7.13 Comments provided 9 December 2019:

7.14 I have viewed the applicant's response and comments regarding concerns over noise arising from the use of the car park, background music from the golf driving bays and plant noise including use of the grass cutters early morning.

7.15 The applicant has provided additional information on the potential assessment of noise from raised voices, car radios and slamming of doors when guests leave the premise. This has indicated that potential noise arising from the assessment of a similar function would not give rise to noise levels likely to give rise to significant adverse impact for the maximum noise levels generated within the car park. I would therefore recommend a condition to require a noise management plan for controlling noise from customers leaving the venue and use of the car park if the operating hours are to be permitted to 01:00 hours on a Friday and Saturday.

7.16 The applicant is requesting that grass cutters be permitted to operate from 06:00 hours. The noise assessment has not considered noise from the grass cutting operations and has stated that currently the greens are cut from 05:00 hours to 14:30 hours. I continue to have concerns with regard to early morning noise from this activity as noise from grass cutting is not anonymous like road traffic noise, which is the dominant noise in the area, and it is for this reason that this activity needs to be restricted so that it is not permitted early morning, however, if the applicant can schedule the grass cutting so that greens located closest to the residential properties are cut later in the morning then a condition

can be imposed to require this. I would therefore recommend a condition is imposed to require a noise management plan is provided for the grass cutting activities to ensure the greens located adjacent to West Street are cut after 07:00 hours Monday to Saturday and 09:00 hours on Sundays.

7.17 Background music for the golf driving bays has been assessed based on a typical level of 68 dB(A) for each speaker within the bay. The applicant has responded to request that the condition for the background music for the bays is amended to specify a level of 78 dB(A). I continue to have concerns regarding the use of the golf driving bays including noise arising from the background music. It is noted that there are 54 golf driving bays, 27 on each floor which are being requested for use until 23:00 hours. I would be concerned about noise breakout, not just from the background music but also from raised voices as at a level of 78 dB customers will need to raise their voices above the volume and typical noises could be in excess of 80-85 decibels. No mitigation is being proposed. During golf parties there is the potential for large groups of customers to be congregated in the golf driving bays and this will give rise to significant noise from loud voices. 4 people per bay will equate to 100+ customers within this area if only 50% of the bays are in use and with raised voices this would result in potential noise late evening for nearby residents. The applicant is requesting that the background music is permitted late evening and not restricted to 21:00 hours. I would therefore recommend that to ensure noise from the golf driving bays is mitigated that the first-floor golf bays are restricted to no later for use until 21:00 hours and the ground floor are permitted for use until 23:00 hours provided with acoustic fencing to screen noise from this area for residential properties on West Street. It will be necessary to have details submitted of the acoustic screening prior to the determination of this application.

7.18 A condition will be required for a noise scheme to be provided for the golf driving bays to ensure the background music does not give rise to significant adverse impacts for neighbouring residents. A validation assessment will be necessary prior to operation to ensure the noise is suitably attenuated at the nearest residential properties.

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

EPL01

EPL02

EPL03

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

NOI02

The rating level for all plant must not exceed the current background noise levels as provided in noise assessment report reference NT14003 of 50 dB LA90 1 hr daytime and 40 dB LA90 15 min for night time, when assessed in accordance to BS4142 at the front façade of residential properties on West Street. It will be necessary following installation of the plant and equipment that acoustic testing is

undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant.

NO104 this will include details of the noise levels expected to be created by the combined use of external plant and equipment to ensure compliance with the noise rating level.

Deliveries and collections to be restricted to between 07:30 hours and 21:00 hours.

Reason to protect the amenity of nearby residential premises.

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

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

Details of the volume control system must be provided in writing to the Local Planning Authority to ensure the background music level for the golf driving bays achieves a level of 78 dB LAeq for each of the speakers at 2m. It will be necessary following installation of the volume control system that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to its operation.

Prior to operation submit a noise scheme in writing to the Local Planning Authority that details the measures to be implemented and thereafter retained to minimise noise impacts from the use of the golf driving bays to ensure all activities and use of the premises is suitably mitigated via sound control measures, including the provision of acoustic fencing to the eastern boundary to screen noise from the ground floor bays.

Reason to protect the amenity of nearby residential premises.

Ventilation

An appropriate mechanical ventilation scheme must be provided prior to occupation and thereafter maintained to protect against windows and doors being opened during functions when amplified music is being played.

External seating area and balcony areas including the first-floor golf driving bays to be restricted for use to between 08:00 to 21:00 hours.

Prior to operation submit a noise management scheme for the operation of the grass cutters for the golf course is provided in writing to the Local Planning Authority that includes for access of the maintenance shed and ensure the cutting of the golf greens located adjacent to West Street occur between 07:00-21:00 hours Monday to Saturday and 09:00 - 21:00 hours on Sundays.

Maintenance activities occurring within the maintenance shed to be restricted to 08:00-21:00 hours Monday to Saturdays and 09:00-17:00 hours on Sundays and Bank Holidays.

HOU03 to those on application

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

REF01

REF02

7.19 Additional comments following further response from applicant:

7.20 I have reviewed the response of the applicant and would agree to the proposal for a noise assessment to ensure compliance with the noise report for the operation of the driving ranges. If the assessment determined that additional mitigation was required then this could include for restricted use of the first floor driving ranges and acoustic screening. This should include for a re-assessment within 1 month of receipt of any complaints about noise from the driving range to either the operator or environmental health.

7.21 Therefore remove the element of the hours restriction for the golf driving bays. If following assessment of the operational noise if approved it was found that noise mitigation measures were necessary then that would fall under the noise scheme for the mitigation that could include to restrict use of the golf driving bays.

7.22 So we are no longer including it within the control of hours condition, but it could fall as a requirement of the noise mitigation scheme under the revised condition if noise could not be mitigated any other way for the first floor golf driving bays.

7.23 b) Contaminated Land

7.21 The reports submitted with the application confirm that no gas protection measures are required, and no contamination issues have been identified.

8.0 Regeneration and Economic Development

8.1 The investment and jobs that the proposed development will bring into North Tyneside is welcomed.

8.2 The current economic climate is seen as a challenging time for North Tyneside's town centres and the Council have prioritised investment in the town centres through its Regeneration Strategy approved by Cabinet on the 26 November 2018. The Regeneration and Economic Development team aims to support any developments that will assist town centres to become more resilient, adaptable and vibrant places and resist developments which could have a negative impact upon them. The facility has the potential to attract more visitors to Wallsend and is considered not to compete with the offer of the town centre.

8.3 It is noted that the proposal is close to the boundary of West Street on the eastern side of the site. Providing there are no issues with residential amenity

and other planning considerations then we would have no objection to the proposal. The design quality looks appropriate for its setting.

9.0 Representations

37 responses of objection from 23 addresses.

- Adverse effect on wildlife
- Impact on landscape
- Inadequate drainage
- Inadequate parking provision
- Inappropriate in special landscape area
- Inappropriate design
- Loss of privacy
- Loss of residential amenity
- Loss of visual amenity
- Loss of/damage to trees
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Out of keeping with surroundings
- Pollution of watercourse
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Precedent will be set
- Traffic congestion
- Will result in visual intrusion
- Within greenbelt/no special circumstance
- Affect character of conservation area
- Affect setting of listed building
- Not in accordance with development plan

Location of building

- The building should be located on the site of the existing golf clubhouse.
- The proposed building is too close to residential properties
- The proposed development will impact on residential properties on West Street from increased traffic, noise, light and air pollution and loss of privacy.
- The location of the facilities on the existing site would have less impact particularly to West Street than in the proposed location in terms of traffic congestion, conflicts at access points, adequate parking could be provided, noise, lighting as well as not requiring the loss of trees on West Street which currently provides a habitat for wildlife and gives screening from the golf course from floodlighting and noise.
- If access on West Street is required, a better location is opposite the allotment gardens then noise would not bother anyone
- This is an American style leisure complex and should be put on a retail park, industrial estate or out of town development not in a residential area in Wallsend.
- The proposal if successful could be a welcome addition to Wallsend, North Tyneside and the surrounding areas. The principle is acceptable but not the location. The building could be moved westwards.
- A venue of this type does not need to be visually prominent at all.

Traffic

- Traffic on and around West Street has increased in recent years. The proposed development will further increase traffic on these roads
- West Street is already a busy street which is used to access the nearby Westfield Park and Rudchester housing estates, Wallsend, Walker, Byker and beyond. On West Street there is a school exit gate, allotment gardens, a social club and recently a residential home.
- There is existing traffic congestion from the school and business traffic in the rush hour
- The two new accesses for 250 space car park and service vehicles on West Street would result in increased traffic on West Street.
- The two new accesses would result in highway safety issues and an increase in accidents.
- The southern access to service building is in close proximity to the junction of West Street and Dorset Avenue and close to a bus stop.
- The northern access gives access to the car park and is near to Cheshire Gardens near to a second bus stop.
- Object to entrance being directly opposite my driveway. It is already difficult for residents on West Street to drive onto and off their drives at busy times. Increased traffic will make this harder and more hazardous particularly near the new accesses where there will be traffic from another direction to consider
- Conflicts will arise between buses stopping at bus stops and increased traffic
- At peak times cars queue back from Devonshire Gardens onto West Street resulting in a considerable tailback. Sometimes beyond Cheshire Gardens.
- The corner from Devonshire Gardens into West Street is tight and can result in traffic going south facing directly into north driving traffic with little room to manoeuvre if avoiding resident's cars parked outside their homes.
- Traffic gets steadily busy from before 7am -10am and picks up again around 3pm. Traffic is steady in off peak hours but starts again with rush hour traffic well into the evening
- A recent survey gives West Street an average speed of 29.5 mph. It is only this speed when speed monitors are in place. Average speed in peak times is 40-50mph.
- Some places on West Street are more hazardous and motorists who know the road know the dangers and adjust their driving accordingly.
- Motorists often use Dorset Avenue, Cheshire Gardens and other side streets to 'rat run' a short cut to Station Road and to avoid queuing onto Devonshire Gardens
- traffic also uses West Street to avoid the traffic lights, crossings and school patrols on Station Road
- Impact on safety of pedestrians and especially school children who walk down West Street to school. The increased traffic from the development will make West Street more dangerous.
- Many people on the school run particularly from the Dorset estate use the footpath on the west side of West Street as there are no roads or driveways but they have to cross West Street further up near Dorset Avenue. The new access near Dorset Avenue will reduce the safety of this walking route.
- The application states that the new building will take traffic away from the school
however the busiest times of the golf course is likely to be outside school hours so this is irrelevant.

- Rutland Road has little traffic compared with West Street. By changing the access traffic will increase on West Street. Why when the existing access has worked for years?
- Concern about access near Dorset Avenue which appears to be for staff, utility, maintenance and deliveries etc. How will huge wagons, often refrigerated, manoeuvre from a busy street onto a side road? How frequently will these wagons/vans use this access? What routes will they use -Station Road then along Dorset Avenue or Devonshire Gardens onto West Street? Concern about danger to school children who use the west side of West Street.
- Can large vehicles get passed parked cars on West Street and Dorset Avenue without damage to parked or passing vehicles
- To introduce two new accesses onto West Street, a road that is becoming increasingly busy is a puzzle as Rheydt Avenue has been the access to the golf course and previous sports centre for 30-40 years. It also serves Wallsend Boys Club, Kirkley Park and surrounding fields and out/maintenance buildings with no real problems. Rheydt Avenue is accessed from Rutland Road which is a quiet street with little if any traffic jams/queues and little reports of accidents. Rutland Road is wider than West Street. Wagons/vans can get past cars that may be parked on both sides of Rutland Road though this is rare. Rutland Road and Rheydt Avenue have practically no issues or restrictions to prevent patrons, staff, utility vehicles etc to continue using these roads. There is no reason to change the access to West Street. The proposed development could be accessed off Rheydt Avenue
- Rutland Road has about 7 residential driveways whilst West Street has about 30
- In terms of traffic, from information submitted, there is no need and nothing to be gained by moving the new venue from the existing site
- Four out of the seven properties near the new entrance/exit are blue badge holders two of which are children, often needing specialist transport. They would be impacted by additional traffic and parking on West Street.
- Construction traffic, sequencing of works and hours of work not provided.
- If car park was to over flow, the lack of space on West Street which is already an issue would be impacted.
- Vegetation density is also critical to road safety. Any line of sight from the road on West Street may cause significant distraction and dazzle to passing vehicles. If a Stage 1 Road Safety Audit had been carried out this would have been picked up. Therefore requires adequate screening from the road as existing. A Stage 1 Road Safety Audit should be undertaken.
- Visibility requirements need to be clarified
- Concerns about 5.5m width on junction access and 6m radii kerbs therefore vehicle tracking is required. This is less than recommended under current guidance for an access for in excess of 200 car parking spaces.
- Car parking bay sizes are not provided
- Query about trip generation figures using The Parklands surveyed vehicle trips which has been reduced by 50%. This is unrealistic as the trips generated by the proposed development will be significantly higher than 50% of Parklands. Further testing required to establish if further mitigation to existing road network/layout on West Street is required. Queuing is showing as 8 seconds when 50% has been used.
- A right turn pocket on West Street for main access should be provided. The road is wide enough to accommodate this.

- Disagree with the ancillary classification of the development elements within the TA. Testing these appropriately would ensure more robust trip generation and queuing results which would likely require remodelling of the proposed junction and existing West Street access (ie right turn pocket)
- The existing site does not suffer from poor access and is ideal for a proposed venue of this type.
- Little has been invested in over ten years since the applicant has run the site, much more could have been done to improve the dark unsafe and off putting road.

Air pollution

- Increased traffic will increase air pollution particularly for school children walking along West Street to and from school
- Air pollution from wagons, vans, lawn cutters, maintenance machines and cars parked on West Street
- This is within a proposed clean air zone on the Coast Road. The Coast Road is one of the most polluted roads in North Tyneside. More traffic will use streets in Walker and Wallsend including West Street making pollution worse.
- Increased traffic will result in health and safety concerns see para103 of the NPPF which states 'to reduce congestion and emissions, and improve air quality and public health'. Para 117 states planning decisions 'should promote an effective use of land..... while safeguarding and improving the environment and ensuring safe and healthy living conditions.'
- Dust and dirt from construction works

Lighting

- There will be light pollution from the 251 space car park, the club house, walkways and the driving range which will impact on adjacent residential properties
- The removal of the tree line will increase impact of light on nearby residential properties. Removal of trees not taken into account for the lighting assessment.
- There will be issues of dazzling lights from the tops of the building, neon signs, the building itself and floodlights to be projected onto an area where it is proposed to thin or remove trees.
- Light will project into residential properties on West Street up to a time of 23.00 hours.
- impact from lighting para 180 c) NPPF states planning decisions should 'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'.
- Lighting assessment notes 'best practice' to include baffles to proposed luminaires 'where appropriate'. This should be conditioned. Lux contour plan showing light spillage would be useful
- Will impact on wildlife especially if on till 1am and daylight starts at 3am
- Concerns over floodlights beaming across a vast area right next to residential properties until after 1am.

Noise

- Increased noise from increased traffic especially if a toll is put on the Coast Road.

- From comings and goings, events, bars, music, vending machine drone, electrical machines, patrons voices, car doors opening and shutting will impact on West Street at all hours of the day without any buffer.
- During construction
- Removal of trees will result in the loss of a noise barrier. Residents do not want to be in a position where they can't open windows for noise.
- Many residential properties have bedrooms facing West Street. Any additional noise would result in sleep disturbance at night and to shift workers during the day.
- Hours not appropriate for a residential area. Hours of opening 6am -1am. Residents will have to endure 19 hours of raised noise levels which will disturb sleep.
- Hours could be restricted to 11pm to begin with but once operating likely to be applications to extend opening hours. Lighting assessment states driving range proposed not to operate past 23.00 hours. Noise Assessment states that there is the potential for events at the driving range to continue beyond 23.00 hours. No assessments for lighting if used after 23.00hrs. Concerned this could be until 02.00 hours. Hours of operation should be controlled.
- Opening to 1am Friday and Saturday morning. No thought for local residents. This is not a church it is an entertainment facility, nobody will be arriving or leaving quietly.
- Maintenance shed is located closer to existing residents than existing maintenance shed. Machinery leaving the shed will be heard even if it is to be operated on the other side of the golf course.
- Times of course maintenance. Grass currently is cut at 6.30am on weekends
- Increased noise levels see para 180 of NPPF 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.'
- Human Rights Act Protocol 1 Article 1 states that a person has the right to peaceful enjoyment of all their possessions which include the home. The proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property.
- Increased noise will impact on wildlife.
- Noise from golf balls being struck so close to properties.

Visual

- The proposed location of the building is unacceptable lying parallel and closer to West Street for little or no benefit other than a brand new building allowing passing traffic a view
- Impact of floodlit car park and grey metal shed
- NPPF states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Para 131 states 'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design

more generally in an area, so long as they fit in with the overall form and layout of their surroundings' which the development wont.

- The proposal does not meet any of the points in para 127 of the NPPF which states that development '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'.
- Building would have a detrimental and intrusive impact on residents. It is ill considered and harmful as it appears overbearing and out of character. It does not compliment or respect its surroundings.
- Driving range fence example in London is in an appropriate commercial area and is not comparable as it is not near residential properties.
- In response to the CGI images, this is why experienced planners build these venues on industrial estates. Nobody should be forced to look at that monstrosity. It will be prominent and seen in Westerhope not just West Street.

Trees

- The loss of trees and planting along the eastern boundary of the golf course will reduce visual amenity along West Street
- Loss of trees along West Street will make the development more open and impact on resident's privacy.
- Existing trees screen the golf course and help to reduce noise and damage from stray golf balls.
- Loss of trees will have an impact on wildlife
- Submitted landscape proposals for the boundary along West Street are not clear
- Landscape information states the proposals will improve the visual character of the site boundary on West Street improving the street scene. This boundary has been neglected over the last few years and become overgrown and obstructing the public footpath. Previously anyone travelling on West Street would have had clear views of the golf course.
- Protected trees should be protected
- The recent general election had all parties pledging to plant millions of trees and the applicants proposed plans include the removal of 300 mature trees.
- How can the planning committee possibly be expected to pass this in the current climate? Even nearby Newcastle City Council is considering planting new trees on the town moor.
- The applicant has failed with woodland management to date so would question their ability in the future especially for such a large transplanting project.
- Even acceptable thinning of the trees will cause an increase in noise and light levels. - - The proposed planting of new trees would take years to make any impact and meanwhile, we would have to suffer what would be unreasonable noise and light levels.
- There is a possibility that if the venue is built on its proposed site it could have opened, business peaked, run-down, and closed before young trees even semi-mature and then what will we all be left with? We would all lose far more than we would gain here.

Other issues

- Proximity of the development to residential properties will have an effect on privacy to front of homes and gardens from the building and the car park.
- Size of development too close to residential properties.
- Development will affect the value of my property.

- Possible vandalism close to residential properties.
- Proposal has no drainage designs or Drainage Strategy. Sustainable drainage systems should be provided.
- Green belt in Council's Local Plan should only be altered in exceptional circumstances, which includes appropriate facilities for outdoor sport and recreation. These are not exceptional circumstances, the loss of green belt space is unnecessary and the driving range cannot be considered as an outdoor sport. Climate controlled tee boxes in my opinion qualifies the driving range as an indoor facility. This is an entertainment venue not an outdoor sports facility. The proposal will result in loss of valuable green space and not a benefit in environmental and landscape terms. Changes to green belt, in NPPF, should be in exceptional circumstances, other options considered and use of brown land sites and under utilised land considered. The viable alternative is the current clubhouse and under used land.
- The current layout of the golf course should be retained. Shortening of the course will lead to current members leaving to join courses with a standard layout.
- This is an entertainment venue and not a sports venue.
- Doubt raised that nothing could be built on the current site because insurers would not be willing to provide flood cover.

1 letter raising concerns

- Adverse effect on wildlife
 - Loss of privacy
 - Loss of/damage to trees
 - Nuisance - noise
 - Poor traffic/pedestrian safety
 - Traffic congestion
- Increased traffic from moving entrance to West Street on residents and Western Community Primary School. Traffic already busy and causes an issue for school children trying to cross the road in the mornings and evenings. The existing pedestrian traffic lights near the school do not meet the needs of all the school children as they are south of one of the accesses into the school that is used by about a half of the children so parents and children try to cross West Street before this. The additional traffic and lack of traffic calming will only add to the already high risk of an accident
- issue for residents parking on and reversing from their driveways from increased traffic and having to consider traffic from the new accesses
 - Noise assessment has been carried out using current noise levels but will the new noise level be increased if existing planting is removed.
 - Some properties will be affected by new noise from the new golf course, although this may not be louder than existing noise from the Coast Road it will be new noise for residents
 - There are function rooms and an external terrace on the side closest to West Street but there has been no noise assessment to assess the volume of noise from use of these rooms and terraces late into the night. This would impact on families with young children.
 - Loss of habitat for wildlife if planting removed
 - Lack of privacy if customers to the golf course can see into resident's gardens from the building or car park

10.0 One letter with comment

Would like to see how trees and lights are going to be situated as wouldn't want to look out onto a fully lighted car park instead of current view

11.0 5 letters of support from 5 addresses

- This will provide an excellent facility for the local residents and an attraction for those travelling to the area. It is the first of its kind and if successful will hopefully encourage other businesses and leisure ventures to invest in the area providing a much needed cash injection and jobs to Wallsend.
- Looks like a great investment for Wallsend providing new leisure facilities for the area. It will be great for children.
- This will attract a younger generation of golfers with less time to spare for a conventional round, and families
- Reduced length of course may affect "Big Hitters*" but these do not represent the vast majority of club golfers

12.0 Wallsend Boys Club - objection

- Adverse effect on wildlife
 - Inadequate drainage
 - Inappropriate in special landscape area
 - Nuisance - disturbance
 - Nuisance - dust/dirt
 - Nuisance - noise
 - Traffic congestion
-
- An American style leisure facility is inappropriate to the character of the area and is more akin to an amusement park with attendant noise and lighting
 - will have a detrimental effect on the landscape and the community.
 - Visitor numbers will create severe congestion and increased pressure on already over used roads in the vicinity.
 - There is concern that the applicant intends to create a new access and structure on the eastern side of Rheydt Avenue to establish a new storage facility and access route for heavy vehicles in order to avoid conflict with customers using the entrance to the proposed facility. Rheydt Avenue is an un-adopted road and unsuited to heavy vehicle traffic on a regular basis and would create difficulties for the Wallsend Boys Club facility and potential issues with highway safety.
 - Noise and disturbance from heavy construction traffic brings health and safety concerns.
 - The development is proposed to be open until 11pm when other facilities in North Tyneside such as our own have to shut at 10pm.

13.0 External Consultees

13.1 Sports England

13.2 The proposed development does not fall within the statutory or non-statutory remit of Sport England, therefore Sport England has not provided a detailed response in this case, but gives the following advice.

13.3 If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of National Planning

Policy Framework and is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

13.4 If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place.

13.5 In line with the government's NPPG and PPG (Health and well being), consideration should also be given to how any new development will provide for opportunities to lead healthy lifestyles and create healthy communities.

14.0 Northumbria Police

14.1 The application has been considered from a crime prevention point of view and there are no objections. I would recommend to the applicant that consideration should be given to ensuring a safe and secure environment for patrons and staff, that the clubhouse should be built in accordance with the guidelines set out in the police approved security scheme Secured by Design (SBD) - SBD Commercial 2015.

15.0 Northumbrian Water

15.1 Northumbrian Water has assessed the impact of the proposed development on its assets and assessed the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development.

15.2 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site.

15.3 With regard to surface water, the submitted 'Preliminary Drainage Strategy' shows a direct connection to the existing watercourse for surface water flows. NWL has no comments to make regarding surface water.

15.4 With regard to foul flows, the information submitted is satisfactory. The development should be carried out in accordance with the submitted information.

16.0 Tyne and Wear County Archaeologist

16.1 The site has some archaeological potential, in particular for the remains of West Farm dating to at least the nineteenth century, on the northern side of the site, and for remains of earlier periods in the former field of medieval ridge and furrow to the south of the farm shown on aerial photos. Archaeological trial trenches should be excavated in order to establish the presence or otherwise of archaeological remains. If archaeological remains are present then further work may be required to determine their significance.

16.2 The archaeological work can be carried out under condition, as the site is currently partially covered by trees and still in use. Conditions should be imposed

to secure archaeological excavation and recording, post excavation report and publication.

17.0 Cycling UK

17.1 Can the following be considered as conditions:

1. The 20 cycle parking spaces for visitors and staff, whilst covered and well overlooked, need to be nearer to the main entrance than the car parking (disabled excepted), with Sheffield type stands that are correctly spaced and properly covered. Different locations for visitors and staff may also be appropriate.
2. As a 2-way cycle track is proposed on the west side of West Street, this will need priority for cyclists across the two entrances to the Golf Club.
3. The current Clubhouse is accessed by a right of way that runs east from Benfield Road and the surface of this needs to be fully surfaced and lit, so that the local community also benefits. Ideally this should have been extended east to the new Clubhouse but it looks as though the layout of the golf course prevents this. This means that anyone walking or cycling to the new Clubhouse from Benfield Road will have a much longer journey, which could discourage these healthy means of transport.

18.0 The Coal Authority

18.1 The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

18.2 Specifically, The Coal Authority records indicate the presence of 2 no. mine entries within the application site boundary and 1 no. mine entry within or within 20m of the application site. The Coal Authority is of the opinion that building over the top of, or in close proximity to mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy.

18.3 The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Phase II Geo-Environmental Site Assessment (ERGO, March 2019) which accompanies this planning application.

18.4 This report correctly identifies the presence of the two mine entries within the application site boundary and the third mine entry just beyond the site's eastern boundary. When considering the continued use of the site as a golf course the report authors do not consider it appropriate or necessary to undertake intrusive site investigations. In addition, The Coal Authority notes the assurance of the competent person who has prepared the report that none of the mine entries are located within 20m of proposed structures or groundworks.

18.5 I have reviewed the submitted plans against The Coal Authority's records and note that no built development is proposed within influencing distance of the mine entries. Furthermore, I acknowledge that the site is currently used as a golf course and the use shall be continued under this proposal. Therefore, in this

particular case it would be unreasonable for The Coal Authority to recommend to the LPA to secure intrusive site investigations to locate the mine entries. However, the applicant should consider the potential risk that these features can pose to the safety and stability of the site and the public.

18.6 On the basis of the information submitted and the professional opinion of the author for the Phase II Geo-Environmental Site Assessment (ERGO, March 2019), The Coal Authority has no objection to this planning application. However, further, more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

19.0 Newcastle International Airport

19.1 Cranes

The development site is located close to the Airport's approach and take-off protected obstacles limitation surface. Therefore use of cranes during construction could present a collision hazard and/or impact on the Airport protected obstacle limitation surfaces.

Although this type of equipment is not anticipated for this development, the use of any crane above 45m in height would penetrate the surface and would require an operator's licence and the issuing of a notice to airmen for the duration of the construction period. It would also need to be fitted with medium intensity lighting. If a crane or other construction equipment is required above 45m in height above ground, it is requested that the jib is only in the raised position during use, the Airport's air traffic control service is informed before use, and work should cease during poor visibility and cloud ceilings.

19.2 NIAL request that the parameters and procedures of crane use over 45 metres for the development buildings associated with this application be set out in a crane method statement, which should be conditioned as part of a grant of planning consent.

19.3 Please note that the Civil Aviation Authority (the UK's aviation regulator) guidance on crane operations is due to change very soon. The published guidance would outline an updated process for notifying/approving crane operations, and could require the applicant to submit information to the CAA in the first instance.

19.4 Planting and landscaping

The applicant should note that certain types of landscaping can be bird attracting, providing a habitat/feeding source for birds with the potential to result in an increase in bird strike incidences. Species which provide a food supply in the form of fruits, nuts and berries should not be used on site in quantities greater than 10%.

19.5 NIAL request that a condition should be imposed that the applicant provide a detailed planting schedule for all landscaping associated with this site, and written assurances that no more than 10% of planned planting will be berry bearing, bird attracting species.

19.6 There are a number of species that should not be used on site in quantities greater than 10% and should not be grouped to discourage roosting habitat, in order to prevent the creation of bird attracting features on site.

19.7 SUDS and drainage

There is a general presumption against the creation of open water bodies within 13 km of an aerodrome, which in relation to this scheme is Newcastle International Airport. This is due to the increased likelihood of bird strike as a result of habitat formation within close proximity to the flight path, when aircraft are typically flying at lower level having departed or preparing for arrival at the aerodrome. NIAL would therefore expect that all permanent open water bodies associated with the scheme be fully covered.

19.8 NIAL has no objection to the Bird Strike Risk Assessment dated October 2019

associated with this application and revised landscaping schedule set out on drawings 1576-1-3b Rev b and 1576 -1-3a Rev B subject to:

- The control measures outlined in the BSRA Executive Summary (page 4) being delivered, and the two new ponds are netted until common reed planting has matured (this latter point was confirmed by the applicant in previous correspondence). *Condition*
- We receive written confirmation that the SUDS will be netted before vegetation is established, and details of the SUDS drainage times. NIAL request this final SUDS/drainage point is conditioned upon planning decision. To reiterate points outlined in our original response - if the basin will only be wet during time of flood, it is expected that it will drain rapidly (not more than 2 days).

19.9 Our previous comments remain as set out in our original response. Please could you also condition the lighting requirement too.

19.10 Green and solar energy

PV panels are proposed with this application. NIAL would require further information relating to any photovoltaic cells or micro wind turbines proposed for the development. NIAL request that a condition should be imposed that further details of materials should be submitted and agreed to ensure that there would no undue reflection which could glare pilots.

19.11 Lighting

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