

**Item No:** 1  
**Application No:** 20/00165/FUL Author: Julia Dawson  
Date valid: 3 February 2020 **Telephone:** 0191 643 6314  
Target decision date: 4 May 2020 **Ward:** Whitley Bay

Application type: full planning application

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

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

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

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

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

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

## 1.0 Main Issues

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

## 2.0 Description of the Site

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

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

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

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

## 3.0 Description of the proposed development

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

## 4.0 Relevant Planning History

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

05/00867/OUT – Outline planning permission former Marine Park/Coquet Avenue Park School site (75 apartments and 12 houses).  
Withdrawn 18.05.05

06/03648/OUT – Development of 94 dwellings comprising of 16 town houses and 78 apartments with 94 car parking spaces on site of former Marine Park and Coquet Park schools – siting and access only.  
Permitted 05.03.07.

07/03702/REM – Submission of reserve matters for development of 78 apartments and 16 houses including details of appearance, scale, parking, refuse storage and landscaping pursuant to outline planning permission reference  
06/03648/OUT  
Approved 30.01.08

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

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

#### Mission Hall – Coquet Avenue

16/00995/FUL – Change of use and alterations to former church hall to form a swimming pool and cafe. Provide mild steel gates and railings to existing front and side boundaries.  
Permitted 02.08.16

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

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

#### 5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

#### 6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (February 2019)  
National Planning Practice Guidance (NPPG) (As amended)

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

## **PLANNING OFFICERS REPORT**

### **7.0 Main Issues**

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

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

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

### **8.0 Principle of the Proposed Development**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 9.0 North Tyneside Council Housing Land Supply

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

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

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

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

#### 10.0 Character and appearance

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 11.0 Impact upon Heritage Assets

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

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

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

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

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

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

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

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

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

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

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

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

## 12.0 Impact upon neighbours

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 14.0 Car Parking and Access

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

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

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

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

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

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

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

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

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

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

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

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

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

## 15.0 Biodiversity and Landscaping

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

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

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

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

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

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

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

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

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

## 16.0 Other Issues

### 16.1 Contamination and Land Stability

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

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

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

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

#### 17.0 Flooding

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

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

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

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

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

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

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

#### 18.0 S106 Contributions

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

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

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

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

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

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

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

18.6 Planning obligations will be sought where:

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

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

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

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

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

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

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

18.10 The following contributions have been requested:

- Employment and training: 2 apprenticeships

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

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

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

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

## 19.0 Local Financial Considerations

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

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

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

## **20.0 Conclusions**

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

## **RECOMMENDATION: Application Permitted**

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

**Upgrade of existing footpaths abutting the site**

**Alterations to resident parking scheme on Coquet Avenue**

**Associated drainage**

**Associated street lighting**

**Associated road markings**

**Associated signage**

**Associated Traffic Regulation Orders**

## **Conditions/Reasons**

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

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

- Proposed Roof Plan, NE-2651-AC-012, P4, 26.06.20
- Proposed Drainage Layout, McC&S-MG-WB-002, 21.11.19
- Proposed Site Sections, NE-2651-AC-010, P1, 30.01.20
- Addendum 1 Material Justification Updated June 2020
- Marine Gardens 2019 Ecology Report, P19-912, Jan 2020 (BSG Ecology)
- Report to Inform a Habitat Regulations Assessment, P19-912 Marine Gardens 2019 HRA report, Jan 2020

- Phase 2: Ground Investigation Report, Project No: 16-087, 23.03.2016  
- Phase 1: Desk Top Study and Coal Mining Risk Assessment Report, Project No: 16-087, 22.03.2016

- Transport Statement, December 2019 (Ref: TPL 19-109-001.01D)
- Design and Access Statement, January 2020
- Planning Statement, January 2020
- Flood Risk and Drainage Statement, ref.19056/FRA.1, January 2020

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

2. Standard Time Limit 3 Years FUL MAN02 \*

3. New Access Access Before Devel ACC01 \*  
0

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

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

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

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

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

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

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

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

8. Construction Method Statement - Minor SIT006 \*

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

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

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

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

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

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

12. Contaminated Land Investigation Housing CON00 \*

1

13. Gas Investigate no Development GAS00 \*

6

14. Prior to occupation of the development a fully detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species, which should be beneficial for biodiversity. Trees and hedgerows to be native species and trees to be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species. All hard and soft landscape works shall be carried out in accordance with the relevant recommendations of British Standard 8545:2014. The landscape scheme shall include a maintenance schedule for a minimum period of five years including details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule.

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

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

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

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

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

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

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

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

accordance with the approved details.

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

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

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

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

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

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

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

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

Reason: In the interests of aerodrome safeguarding.

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

Upgrade of existing footpaths abutting the site  
Alterations to resident parking scheme on Coquet Avenue  
Associated drainage  
Associated street lighting  
Associated road markings  
Associated signage  
Associated Traffic Regulation Orders  
Thereafter, these agreed works shall be carried out in accordance with the agreed timescales and retained thereafter.

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

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

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

24. Restrict Hours No Construction Sun BH HOU00 \*  
4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The type of crane/equipment;
- The radius of the jib/boom of a fixed crane/the area of operation of a mobile crane;
- The intended dates and times of operation;
- Applicant's name and contact details, and;
- Proposed obstacle lighting to be installed (Low intensity steady red obstacle lights should be used).

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

the National Planning Policy Framework.

36. Dust suppression during construction SIT03 \*

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

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

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

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

**Informatics**

Building Regulations Required (I03)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

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

Street Naming and numbering (I45)

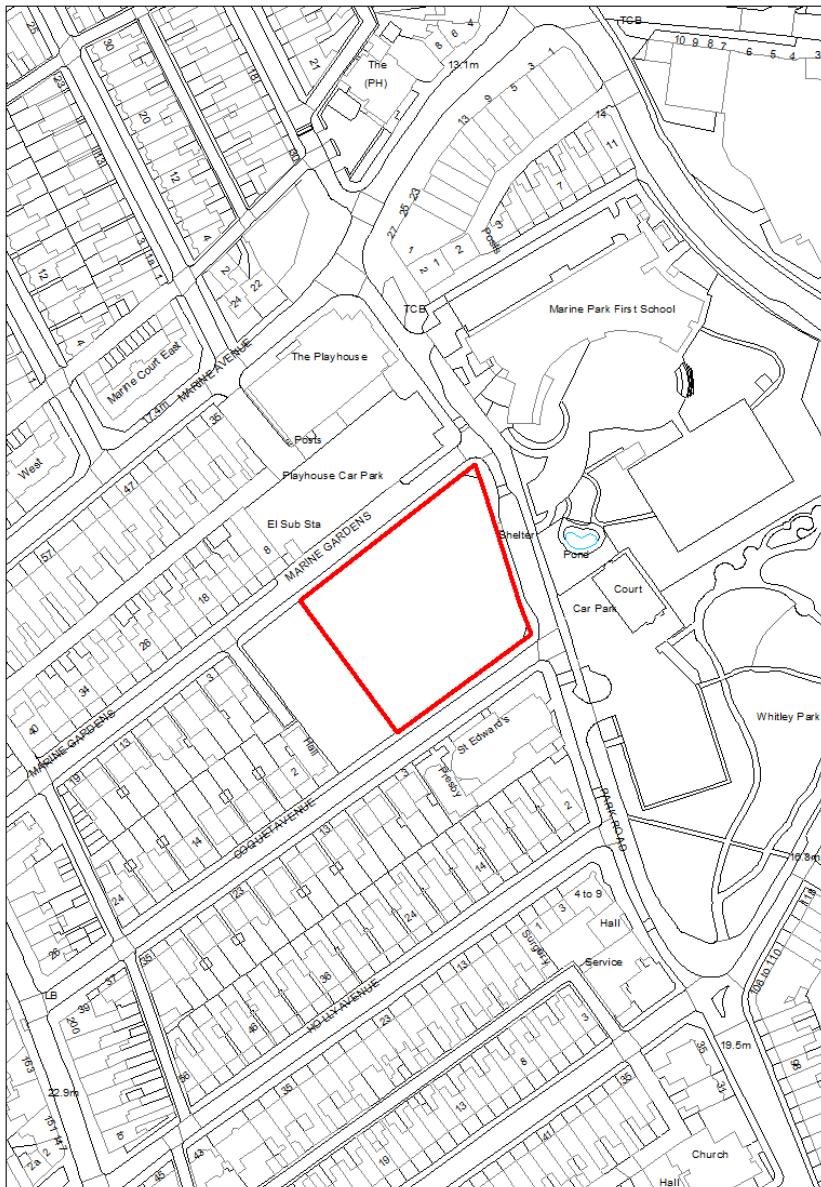
Highway Inspection before dvlpt (I46)

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

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

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

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



**Application reference: 20/00165/FUL**

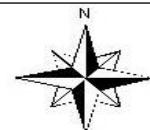
**Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear**

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

Not to scale

Date: 23.07.2020

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**Appendix 1 – 20/00165/FUL**  
**Item 1**

**Consultations/representations**

**1.0 Representations**

6 objections, 4 support, 2 neutral:

**1.1 Objections:**

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

**1.2 Support:**

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

**1.3 Marine Park First School**

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

1.5 Ward Councillor (Whitley Bay)

1.6 Councillor O'Shea

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

1.8 Internal Consultees

1.9 Highway Network Manager

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

1.11 Recommendation - Conditional Approval

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

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

1.14 Conditions:

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

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

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

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

1.17 Informatives:

- I08 - Contact ERH: Works to footway.
- I10 - No Doors/Gates to Project over Highways
- I12 - Contact ERH Erect Scaffolding on Rd
- I13 - Don't obstruct Highway, Build Materials
- I45 - Street Naming and Numbering
- I46 - Highway Inspection before dvlpt

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

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

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

1.21 Local Lead Flood Authority

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

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

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

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

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

**1.25 Contaminated Land Officer**

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

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

1.28 Presence of made ground associated with historical activities.

- Potential presence of hazardous ground gases.

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

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

**1.31 Landscape Architect**

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

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

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

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

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

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

- Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree and shrub planting and ground preparation noting the species and sizes for all new plant species. Trees and hedgerows to be native species and trees to be a minimum 12-14cm girth. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the relevant recommendations of British Standard 8545:2014. No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

#### 1.37 Biodiversity Officer

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

#### 1.39 Ecological Survey:

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

#### 1.41 Habitat Regulations Assessment:

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

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

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

#### 1.44 Landscaping:

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

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

- A Construction Environmental Management Plan (CEMP) will be submitted to the Local Authority for approval prior to works commencing on site.
- A detailed landscape scheme must be submitted to the Local Authority for approval within 4 weeks of works commencing on site. Landscaping should include native hedgerows and trees as well as planting that is beneficial for biodiversity.
- 3no. house martin nest boxes will be provided on buildings within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.
- 5no. bird nesting boxes (hole nesting and open fronted boxes) will be provided within the development scheme. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.
- 3no. bat boxes will be provided on buildings within the development scheme. Details of bat box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans.

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

#### 1.46 Design and Layout

1.47 Comments provided on revised plans 22.07.20:

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

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

1.50 Comments on original plans:

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

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

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

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

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

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

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

**1.57 Environmental Health (Pollution)**

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

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

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

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

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

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

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

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

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

#### 1.64 External Consultees

##### 1.65 Tyne and Wear Archaeology Officer

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

##### 1.67 Natural England

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

##### 1.69 Newcastle Airport

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

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

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

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

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

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

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

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

#### 1.76 Northumbria Water Ltd

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

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

1.79 Northumbria Police Architectural Liaison Officer

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

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