

Item No: 2
Application No: 20/00445/FUL
Date valid: 7 April 2020
Target decision date: 2 June 2020

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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: 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping

Applicant: Places For People, Brady Saville House Savile Street Sheffield S4 7UD

Agent: IDPartnership Northern, Mr Simon Baker St Jude's Barker Street Shieldfield Newcastle Upon Tyne NE2 1AS

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

- 1.1 The main issues for Members to consider are:
- Principle of the proposed development;
 - North Tyneside 5-year housing land supply;
 - Impact on amenity;
 - Impact on the highway; and
 - Impact on biodiversity.

2.0 Description of the Site

2.1 The site to which the application relates is the south western part of allocated housing site 48 as designated in the North Tyneside Local Plan 2017. It measures approximately 0.17 hectares in area and comprises an area of grassland. It was part of 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. 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 free surface level car park. Further 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. Immediately to the west of the site along Coquet Avenue is a one and a half storey flat roofed 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.

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

3.0 Description of the Proposed Development

3.1 The proposal relates to the construction of 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping.

4.0 Relevant Planning History

03/03423/DEMGDO – Demolition of 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 for 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

20/00665/FUL - Erection of Extra Care Accommodation (Use Class C2) with associated private amenity space, landscaping and car parking – Pending Decision alongside current application (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)

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

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

PLANNING OFFICERS REPORT

7.0 Main Issues

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

- Whether the principle of 9no. residential dwellings 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 The NPPF sets out the core planning principles which should underpin decisions and that planning should amongst other matters proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

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

8.3 Policy S3.2 'Hierarchy of Centre's defines the area where the application site is located as within the 'town centre' of Whitley Bay.

8.4 Policy S3.1 Competitive Centres states that within the Borough's defined centres the Council will seek ways to support their growth and regeneration, and support proposals for main town centre development, appropriate residential and mixed-use schemes that would:

- a. Contribute to the protection and enhancement of the vitality and viability of the centre.
- b. Capitalise upon the character and distinctiveness of the centre, while sustaining and enhancing its heritage assets.
- c. Support the improvement in the range and quality of shops, services and facilities.
- d. Boost the growth of small and medium sized businesses that can provide unique and niche services.
- e. Encourage the growth of the evening economy with leisure, culture and arts activities.
- f. Enhance accessibility by all modes including public transport, walking, cycling and by car.
- g. Introduce measures that reduce crime and the fear of crime and any other disorder issues

8.5 Policy AS8.15 'The Coastal Sub Area' states that within the Coastal Priority Investment and Regeneration Area new development should create a vibrant Whitley Bay town centre with an appropriate mix of shopping and other town centre uses to support local businesses.

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 S4.1 states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific and deliverable housing sites. This site is allocated for housing according to policy S4.3(48) of the Local Plan. This identifies the site as being brownfield or previously developed land. This is defined in NPPF as land which is or was occupied by a permanent structure, but excludes land that was previously developed, but where the remains of the permanent structure or fixed structures have blended into the landscape in the process of time. The application site is currently grassland and there is no physical indication that it was previously developed. Therefore, it is considered that the site is not previously developed and is a Greenfield site. However, it is

important to note that whilst NPPF seeks to encourage the effective use of land by re-using land that has been previously developed this is not a pre-requisite.

8.8 DM4.7 'Affordable Housing' states that Proposals for the delivery of affordable housing schemes (such as those submitted by the Council and Registered Providers) that make a contribution towards North Tyneside's overall assessed needs for affordable housing will be supported.

8.9 The site is allocated for housing and this is a proposal for 9no. affordable housing units. This is a housing application on an allocated housing site and therefore it is considered that the principle is acceptable in accordance with policies S4.3(48) and DM4.7.

8.10 Members need to consider whether the principle of residential development 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 DM4.7 and weight this in their decision. It is officer advice that it would.

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 Housing site 48 is allocated for up to 41 residential units according to the Local Plan. The current proposal seeks to provide 9no. new affordable residential dwellings. This should also be considered in the context of the proposed 65 residential units to be provided as part of the extra care accommodation on the adjoining parcel of land, also included within the housing site. 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 and application 20/00165/FUL.

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 9no. two bedroom four person two storey dwellings arranged in two terraces. Each terrace (one on to Coquet Avenue, one onto Marine Gardens), respects and follows the existing street building lines respectively. A parking court is proposed to the rear with a single point of access from Marine Gardens.

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 entire site which was refused planning permission and addressing the reasons for this. With regard to the current application, the Council's Design Officer is generally supportive of the proposed development raising a few small issues and requesting justification for the introduction of two terraces, rather than semi-detached dwellings which are the predominant form of dwellings on Coquet Avenue and Marine Gardens.

10.7 In response, the applicant has submitted revised plans and further clarity on the proposals. The applicant has advised that the Council's Housing Strategy Team have confirmed their preference for Places for People to deliver 9no 2 bed houses and that Places for People are in the process of formalising this with the appropriate documentation. The use of the terrace is common locally and a character of the urban context, with the majority of surrounding streets made up entirely of terraces. In addition, the mix of terraces and semi-detached properties is also common. For example, Marine Gardens itself has a mixture of terraces and semi-detached units. There is also already an existing terrace arrangement on the western end of Coquet Avenue. In addition, splitting the units into semi-

detached units may also have a negative impact on parking numbers as the density of built area would be reduced.

10.8 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 now use as a Bingo Hall. The Spanish City is Grade II listed also.

11.9 The Design Officer has also acknowledged the location of the site within the setting of St. Edwards Church and has raised no objection to this. Due to the relatively small scale of the proposed development it is not considered that it will result in any negative impact on the setting of the Church.

11.10 Again, due to the relatively small scale of the proposed development and the distance to the sewer gas lamp and Spanish City, it is not considered that it will adversely affect the setting of either of these listed structures.

11.11 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 to 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, and a construction management plan with regard to construction vehicles and their routes and storage of materials.

12.7 The neighbours most likely to be directly affected by the proposals are the occupiers of the neighbouring dwellings on Marine Gardens and Coquet Avenue. However, the proposed dwellings will occupy the same front and rear building lines of the dwellings to the south west and will have no impact on the existing standard of outlook, daylight and privacy currently enjoyed via the main habitable windows in these dwellings and the enjoyment of their rear gardens. No.2 Coquet Avenue will be largely screened by the existing hall. In addition, given that they will occupy the same building lines, they will be no closer to the facing front elevations of properties opposite to the north west on Marine Gardens and to the south east on Coquet Avenue. The separation distance will be the same as between the existing facing dwellings on these roads and this is acceptable.

12.8 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. The proposal will be just two storeys in height and will be not be located directly opposite the Church.

12.18 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 has raised no objection to the proposed dwellings. She has recommended conditions in order to control construction hours and dust suppression measures.

13.4 Policy DM4.9 'Housing Standards' states that all new homes, both market and affordable, will meet the Government's Nationally Described Space Standard (NDSS). From the information submitted, accessibility and overall floor spaces comply with the new housing standards. It is considered that the proposed dwellings will provide an acceptable standard of internal and external habitable space, with sufficient in-curtilage refuse storage facilities for each dwelling.

13.5 Members need to consider whether the proposed development will be acceptable in terms of the standard of residential amenity provided to future occupants. Members will also need to consider the impact on the occupants of existing properties surrounding the site. It is Officer advice that the proposed development would not significantly impact on the amenity of existing occupants or the amenity of 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 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 C3 (dwellinghouses) developments the Transport and Highways SPD requires the provision of 1no. parking space per two-bedroom dwelling.

14.6 The proposed parking court will contain 9no. parking spaces and 3no. visitor spaces.

14.7 Objections have been submitted by local resident with regard to the highway impact of the proposed development. These concerns are noted. However, the Highway Network Manager has recommended condition approval of the application, noting the level of onsite parking provision and the new access from Marine Gardens. He has advised that the site has good links with public transport and there are parking controls in place in the vicinity of the site.

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

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 a 'Landscape General Arrangement' plan to show landscape planting proposals. 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 is dominated by an area of poor semi-improved amenity grassland and is therefore of low ecological interest 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, , house martin nest boxes, bird nesting boxes, and bat boxes.

15.7 The application site is within 6km of the Northumbria Coast Special Protection Area and Ramsar Site, the Northumberland Shore Site of Special Scientific Interest (SSSI) and Tynemouth to Seaton Sluice SSSI. The Council's Coastal Mitigation Supplementary Planning Document requires that a financial contribution be paid per new dwelling in the Borough in order to mitigate for the potential of the proposed development to impact coastal designated sites (SPA and SSSI) as the result of an increase in recreational activity at the coast, particularly in relation to cumulative impacts with other residential schemes at the coast and the wider area. For new dwellings within the 6km buffer zone of the SPA (as per the application site) this is J337 per dwelling.

15.8 The applicant has agreed to enter into a legal agreement with the Council to provide mitigation for the additional recreational impact on the SPA and SSSI, in accordance with the requirements of the Coastal Mitigation SPD, and therefore it is not considered that the proposed development will result in harm to the ecology or the designated sites and it does not conflict with policies S5.4, DM5.5, and DM5.6 and is acceptable in this regard. The Council's Biodiversity Officer is supportive of this.

15.9 It is officer advice that subject to conditions that the proposal would avoid having an adverse impact in terms of landscaping and ecology, and therefore would accord with the advice in NPPF, Policy DM5.5 and policy DM5.6 of the Local Plan.

16.0 Other Issues

16.1 Contamination & Land Stability

16.2 NPPF states that panning 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 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, subject to a condition to ensure a restricted surface water flow of 5l/s to MH2401.

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 Local Financial Considerations

18.1 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.

18.2 The proposal would create 9no.new dwellings. Granting planning permission for new dwellings increases the amount of New Homes Bonus, which the Council will potentially receive. The New Homes Bonus is a government grant for each home built equivalent in value to the average Band D Council Tax charge in England in the preceding year. New Homes Bonus is paid to the Authority each year for new homes completed for a period of four years from the completion of each new home. An additional sum is paid for each empty home brought back in to use and for each affordable home delivered.

18.3 The proposal would also result in additional Council Tax being received by the council, and this is a benefit of the proposal. In addition, jobs would be created during the construction period.

18.4 Members should give appropriate weight to amongst all other material considerations to the benefit of the Council as a result of the monies received from central Government.

19.0 Conclusions

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

19.2 At the heart of the NPPF is a presumption in favour of sustainable development, which for decision making means approving development proposals that are in accordance with an up-to date development plan without delay.

19.3 The application site occupies part of an allocated housing site, lies within an existing built up area in the designated town centre and in close proximity to existing local services. The proposal would provide 9no. affordable residential dwellings in a sustainable location in accordance with the NPPF and Local Plan, and in officer opinion is acceptable in principle.

19.4 Members also need to consider whether the proposal will impact on residential amenity,

whether the occupants of the proposed dwellings will have a suitable level of residential amenity, whether the development would have an acceptable impact on the character of the area, ecology and the highway network. It is officer advice that the proposed development is acceptable in these terms.

19.5 The application is therefore recommended for approval subject to a legal agreement to secure a contribution towards the Coastal Mitigation Scheme.

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

Members are also recommended to grant plenary powers to the Head of Law and Governance and the Head of Environment, Housing and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following;

- Coastal Mitigation contribution.

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 12.03.2020

- Location & Context Plan, 001, P1, Feb '20

- Proposed Site Access General Arrangement, 001, 08.03.20

- Proposed Site Plan (9 units), 011, P3, 17.06.20

- Proposed Streetscenes, 021/P3, 17.06.20

- Housetype 1 - The Holt, 401, P1, Feb '20

- Landscape General Arrangement, POE_141_003, Feb 20

- Proposed Roof & Boundary Treatments Plan, 012, P3, 17.06.20

- Design and Access Statement, January 2020

- Marine Gardens 2019 Ecology Report, P17-418 Ecology report 2020

(BSG Ecology)

- Flood Risk and Drainage Statement, 19113/FRA.1, March 2020

- Report to Inform a Habitat Regulations Assessment, P17-418 HRA report, 3 March 2020

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 drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1" dated "March 2020". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2401 and ensure that surface water discharges to the combined sewer at manhole 2401. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

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 4no. 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 2no. 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 2no. 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 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).

- | | | |
|---|-------|---|
| 21. Restrict Hours No Construction Sun BH | HOU00 | * |
| | 4 | |
| 22. Dust suppression during construction | SIT03 | * |

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

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

Informatives

Building Regulations Required (I03)

Contact ERH Works to Footway (I08)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Contact ERH Erect Scaffolding on Rd (I12)

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 (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 (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.



Application reference: 20/00445/FUL

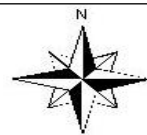
Location: Site Of Coquet Park And Marine Park First Schools, Coquet Avenue, Whitley Bay, Tyne And Wear

Proposal: 9no. dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with parking court to the rear and associated landscaping

Not to scale

Date: 23.07.2020

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Appendix 1 – 20/00445/FUL Item 2

Consultations/representations

1.0 Representations

1.1 Four representations from three addresses have been received; these are summarised below:

1.2 Objections:

- Proposed houses are too much/overdevelopment especially given that the proposed retirement apartments will occupy most of the (adjacent) site.
- Loss of on-street parking in an already overcrowded area as a result of new access and associated kerb.
- Marine Gardens residents will be less able to park on the street where they live.
- Streets should be made residents parking only with pay and display machines removed.
- Detrimental effect on pedestrian safety - particularly for pedestrians walking to and from Marine Park First School;
- New vehicular access point is dangerous in terms of both road safety and pedestrian safety.
- Congestion and disturbance during construction will make both Coquet Avenue and Marine Gardens impassable and very difficult to live here.
- Traffic/parking congestion during peak times will be unsustainable as a result of 9 new dwellings.
- There is a lack of demand for small houses in Whitley Bay, recent developments have not sold.

1.3 Support/Comment:

- Planned houses are sympathetic to the existing houses on the street.
- Works should be not begin until after current coronavirus restrictions are lifted because the greenspace is currently used more heavily than ever.

1.4 Internal Consultees

1.5 Biodiversity Officer

1.6 The above scheme is for the construction of 9no. dwellings arranged in two terraces facing Coquet Avenue and Marine Gardens. A parking area is also proposed to the central part of the site with access from Marine Gardens. The site is located to the west of the A193, north of Coquet Avenue and south of Marine Gardens and consists of approximately 0.17ha of grassland with no other landscape features within the site.

1.7 Ecological Survey

1.8 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.

1.9 Habitat Regulations Assessment

1.10 As the above Site is located within 6 km of the Northumbria Coast Special Protection Area (SPA) / Ramsar site there is a need to consider impacts on these European sites. A report to inform a Habitat Regulations Assessment has been submitted by the applicant (BSG 2020). Residential developments have the potential to result in recreational impacts on the interest features of the European sites and the North Tyneside Coastal Mitigation SPD (Supplementary Planning Document) recommends a financial contribution to fund measures delivered by North Tyneside Council that will mitigate recreational impacts. It is therefore recommended that a financial contribution is agreed with the LPA in accordance with the SPD

1.11 Landscaping

1.12 A Landscape General Arrangement Plan has been submitted which includes boundary hedges, ornamental shrubs and trees. 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.

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

1.14 Conditions

- In order to address the recreational impacts of the scheme on the Northumbria Coast SPA and Ramsar site, an appropriate financial contribution will be required towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD.

- 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.

- 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. The development shall be carried out in accordance with the approved schedule

- 2no. 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.

- 4no. 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.

- 2no. 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.

1.15 Design and Layout

1.16 The proposal is for the development of 9 dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue. The site is also within the setting of St. Edwards Church which is Grade II Listed. The immediate context of the site is critical in the design of small-scale residential schemes, particularly where development infills within an existing street scene. Proposals for infill developments must respect their surroundings. Proposals should follow the existing scale, form and building line of surrounding development and should complement the architectural style and character of the area.

1.17 The proposal has a consistent building line with existing houses within the streets although has a significantly lower eaves and ridge height compared to other residential houses surrounding the site. It is acknowledged that there is a small Community Hall on Coquet Avenue next to the site, however new residential development should relate more closely to the scale of existing residential development. For the same reason, the windows should have a stronger vertical emphasis.

1.18 Proposals on infill sites are expected to relate well to the topography of a site and to acknowledge the pattern of existing development. Existing houses gradually step-down Marine Gardens and Coquet Avenue and this proposal should follow this pattern.

1.19 The application proposes hedgerow planting to the front of dwellings. The choice of boundary treatments must be appropriate and reflect any established forms of boundaries, which in this case is a low wall. The front boundary treatments therefore should be revised to low walls. Hedgerow planting could be located behind the walls if desired.

1.20 The predominant form of houses on both Marine Gardens and Coquet Avenue is two storey semi-detached properties. Therefore, justification should be provided for two terraces. Overall, there are design concerns about the application and how the proposal integrates with its surroundings.

1.21 Highway Network Manager

1.22 This is an application for 9 dwellings arranged in two terraces facing onto Marine Gardens and Coquet Avenue respectively, with a parking court to the rear and associated landscaping. The site is accessed from Marine gardens 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. Conditional approval is recommended.

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

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

1.24 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)

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.

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.

1.25 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 dv/pt

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

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 (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.

1.26 Environmental Health (Pollution)

1.27 We would have concerns around noise and dust generated during the construction process and would recommend the following standard conditions: HOU04 and SIT03

1.28 Contaminated Land Officer

1.29 I have read the Phase one report and note it has stated the following:

1.30 Although from the previous investigation works carried out on this site and immediately adjacent to the site, no significant ground contamination issues were recorded, only limited screening was carried out on this portion of the site. It is therefore concluded that additional 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).

1.31 Hazardous Ground Gases:-

From the ground gas monitoring carried out during the previous ground investigation works, depleted levels of O₂ were recorded which may represent a potential risk if mine gas (stythe gas). As a result, it is recommended that either an additional program of gas monitoring in line with CIRIA C665 is undertaken or gas protection measures installed within the proposed development.

1.32 Based on these recommendations and the proposed sensitive end use the following must be applied: Con 001 (Contaminated Land Investigation) and Gas 006 (site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground)

1.33 Landscape Architect

1.34 This proposed development involves the erection of a 9no two storey dwellings arranged in two terraces facing Coquet Avenue and Marine Gardens. A parking court is proposed to the rear with a single point of access from Marine Gardens. As part of the proposals, a landscape strategy has been submitted. This includes soft boundary treatments in the form of hedges and trees to match the existing residential streets. Low maintenance turfed private gardens are proposed to the front and rear of the scheme. A small amount of soft landscaping is provided within the parking court. Trees have been provided to the front garden areas along both Coquet Avenue and Marine Gardens which will extend the avenue of trees that currently exists along these streets.

1.35 A 'Landscape General Arrangement' plan has been submitted to show landscape planting proposals. The following conditions should be applied:

- 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 to be a minimum 12-14cm girth). All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

- No development shall take place until a schedule of landscape maintenance for a minimum period of five years including details of the arrangements for its implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule.

1.36 Regeneration

1.37 The Regeneration team have no objections to this planning application to bring this site forward for residential use, this is a sustainable location close to good public transport links and will support the longer term functioning of the town centre through greater footfall.

1.38 External Consultees

1.39 The Coal Authority

1.40 The Coal Authority considers that the content and conclusions of the information prepared by Arc Environmental Ltd is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

1.41 Northumbrian Water

1.42 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1 March 2020". This document contains a Pre-Development Enquiry from Northumbrian Water and confirms a restricted surface water flow of 5l/s to MH2401. We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

1.43 **CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk and Drainage Statement 19113/FRA1" dated "March 2020". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2401 and ensure that surface water discharges to the combined sewer at manhole 2401. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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