

Item No: 4
Application No: 20/00632/OUT Author: Rebecca Andison
Date valid: 28 May 2020 ☎: 0191 643 6321
Target: 27 August 2020 Ward: Riverside
decision date:

Application type: outline planning application

Location: Management Suite, Royal Quays Outlet Centre, Coble Dene, North Shields, Tyne And Wear

Proposal: Outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking

Applicant: WD Chatham Ltd, Mr Peter Everest 9-10 Staple Inn London WC17 7QH

Agent: Covell Matthews Architects Ltd, Mr Hector Black 6 Manor Place Edinburgh EH3 7DD

RECOMMENDATION: Minded to grant legal agreement req.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider are:

- whether the principle of the proposal is acceptable;
- the impact on surrounding occupiers;
- the impact on the character and appearance of the site and its surroundings;
- whether there is sufficient car parking and access provided; and
- the impact on trees and ecology.

2.0 Description of the Site

2.1 The application relates to part of the car park which serves the Royal Quays Outlet shopping centre.

2.2 The site is located adjacent to Coble Dene, immediately to the east of an inflatable theme park and to the north of an existing Premier Inn Hotel. To the south east is a public house (Brewer's Fare). The area to the north contains a variety of uses, including a water park, bowling alley and residential properties. The International Ferry Terminal and Royal Quays Marina are located a short distance to the east, at the end of Coble Dene.

3.0 Description of the proposed development

3.1 This application seeks outline planning permission for the development of a hotel and associated car parking. All matters are reserved for subsequent approval.

3.2 The hotel would be 3-storey in height and contain approximately 70no. bedrooms.

4.0 Relevant Planning History

4.1 The Royal Quays Centre has an extensive planning history dating back to 2000 when planning permission was granted for the refurbishment of the Royal Quays development under the following application:

00/00328/FUL - Proposed refurbishment to include some change of use, demolition and rebuilding, provision of new and extended retail units, new canopies, amended car parking – Permitted 15.09.2000

4.2 The most recent applications are listed below:

20/00523/FUL - Proposed partial change of use of existing A1 Factory Outlet Shopping Centre to A1 Factory Outlet/B1/B8 Industrial. Alterations to existing service arrangements to suit new use – Permitted 08.07.2020

16/01263/AMEND – Non Material Amendment of planning approval

15/01567/FUL - Repositioning of main entrance and service access, three new emergency accesses and steps, changes to ground level and height, loss of two car parking spaces and altered hard landscaping layout – Permitted 28.09.2016

15/01567/FUL - Erection of a trampoline hall – Permitted 17.02.2016

14/01961/FUL - Proposed temporary garden centre (A1 Use) to be part of the existing Royal Quays Outlet Shopping Centre – Permitted 10.03.2015

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (February 2019)

6.2 Planning Practice Guidance (As amended)

6.3 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 the proposal is acceptable;
- the impact on surrounding occupiers;
- the impact on the character and appearance of the site and its surroundings;
- whether there is sufficient car parking and access provided; and
- the impact on trees and ecology.

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

8.3 The NPPF (para.80) states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

8.4 The NPPF, states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan.

8.5 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.

8.6 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.

8.7 Local Plan Policy S2.1 states that proposals that make an overall contribution towards sustainable economic growth, prosperity and employment in North Tyneside will be encouraged. This includes the creation, enhancement and expansion of tourist attractions, visitor accommodation and infrastructure, capitalising on the Borough's exceptional North Sea coast, River Tyne and International Ferry Terminal.

8.8 Policy AS2.5 states that across the River Tyne North Bank area proposals for all forms of employment development will be supported to enable economic growth, investment and regeneration of the area where they do not restrict riverside access that could compromise the capacity of the River Tyne North Bank to support marine and off-shore related industry.

8.9 Policy DM3.4 of the Local Plan states that proposals for main town centre uses on sites not within the town centres will be permitted where they meet the following criteria:

- a. In order of priority, there are no sequentially preferable sites in-centre, then edge of centre, and then existing out-of-centre development sites previously occupied by appropriate main town centre uses that are readily accessible to Metro stations or other transport connections to the town centres and then finally existing out-of-centre locations;
- b. The suitability, availability and viability of sites should be considered in the sequential assessment, with particular regard to the nature of the need that is to be addressed, edge-of-centre sites should be of a scale that is appropriate to the existing centre;
- c. There is flexibility in the business model and operational requirements in terms of format; and
- d. The potential sites are easily accessible and well connected to town centres. Proposals for retail development outside a town centre will require an impact assessment where they would provide either:
 - e. 500m² gross of comparison retail floorspace, or more; or
 - f. 1,000m² gross of retail floorspace for supermarkets/superstores, or more.

The proposal would be supported when the necessary Impact Assessment has shown that:

- g. The proposal would have no significant adverse impacts, either individually or cumulatively, on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- h. The proposal would have no significant adverse impact on the vitality and viability of a town centre, including consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

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

8.10 The site is an out of centre location and is located within the River Tyne North Bank area.

8.11 The hotel development is defined as a main town centre use within the NPPF. In accordance with paragraph 86 of the NPPF and Local Plan Policy DM3.4 a sequential assessment has been submitted as part of the application.

8.12 The sequential assessment considers alternative sites within and on the edge of the existing centres of Wallsend and North Shields. No sequentially preferable sites or buildings that were suitable, available and viable were found.

8.13 The proposal would support economic growth and contribute to job creation in accordance with the NPPF and Policy S2.1. It would also capitalise on the economic opportunities of the International Ferry Terminal and Royal Quays Marina in accordance with Policy S2.1, and support the economic growth, investment and regeneration of the River Tyne North Bank in accordance with Policy AS2.5.

8.14 Having regard to the above it is officer opinion that the principle of the proposal is acceptable subject to consideration of the following matters:

9.0 Impact on surrounding occupiers

9.1 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.

9.2 Policy S1.4 of the Local Plan states that development should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

9.3 Policy DM5.19 states that amongst other matters development that may cause pollution will be required to incorporate measures to prevent or reduce the pollution so as not to cause nuisance or unacceptable impacts to people. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.4 The application site is located within a predominantly commercial area. Immediately surrounding the application site is a leisure facility (Inflata Nation), hotel and public house, with the Royal Quays shopping centre to the west. On the opposite side of Coble Dene is a water park and bowling alley. The closest residential properties are located approximately 340m to the north west and 300m to the east.

9.5 The Manager of Environmental Health has provided comments and confirms that she has no objections to the proposal. She recommends several conditions including in respect of: construction and delivery hours, external plant, odour suppression, refrigeration, dust suppression scheme and external lighting. In officer opinion the impact on residential occupiers is considered to be acceptable subject to these conditions.

9.6 The existing Premier Inn Hotel would be located approximately 25m from the rear elevation of the proposed hotel. While there would be some impact on outlook from the north east facing windows of the Premier Inn it is not considered that this would result in any significant harm to the business.

9.7 Members need to consider whether the impact on existing occupiers would be acceptable. It is officer advice that the impact is acceptable.

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, 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 application is outline with all matters including appearance and scale reserved for subsequent approval. However, an indicative layout has been submitted to demonstrate how the site could be developed to accommodate a hotel and associated parking. The applicant has indicated that the building would be 3-storeys. Indicative street elevations have been provided.

10.6 The application site is located in an area characterised by large commercial buildings. The adjacent Premier Inn Hotel is 3-storeys and to the north west there is a 6-storey office building at the junction of Coble Dene and Howdon Road. In this context a 3-storey building is considered to be acceptable.

10.7 The indicative site layout shows that the site is of an adequate size to accommodate the hotel with space remaining for car parking at the rear.

10.8 As this is an outline application with all matters reserved, Members need to determine whether the indicative layout demonstrates that an appropriate site layout could be achieved. In officer opinion, subject to the imposition of conditions, the impact on the character and appearance of the area would be acceptable. As such, the proposed development complies with both national and local planning policies.

11.0 Whether there is sufficient car parking and access provided

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

11.2 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.

11.3 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.

11.4 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.

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

11.6 For this development the Transport and Highways SPD requires 1no. space per bedroom for guests, 1no. space per five bedrooms for staff, plus an additional disabled space per every 20no. spaces.

11.7 As the proposed development is an outline application with all matters reserved, the layout is not for consideration as part of this application. The final car and cycle parking are to be finalised with any subsequent application for reserved matters, should Members be minded to approve this application.

11.8 The Highways Network Manager has been consulted and raises no objection to the principle of the development. He advises that while some parking spaces would be lost as a result of the development, previous parking surveys have demonstrated that the remaining car park would be sufficient to meet the needs of the existing and proposed uses.

11.9 The Highways Network Manager has recommended several conditions, including detailed car parking layouts and cycle parking provision in accordance with the Transport and Highways SPD; a car parking management strategy; a refuse management strategy; and the submission of a Travel Plan.

11.10 Having regard to the above, there are no objections to the application on transport or highways grounds, subject to the submission of suitable details at the reserved matters stage and the conditions requested by the Highways Network Manager. It is officer advice that the proposal complies with the advice in NPPF, policy DM7.4 and the Transport and Highways SPD.

12.0 Trees and Ecology

12.1 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.

12.2 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.

12.3 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.

12.4 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.

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

12.6 Expert advice will be sought on such proposals and, if necessary, developer contributions or conditions secured to implement measures to ensure avoidance or mitigation of, or compensation for, adverse effects. Such measures would involve working in partnership with the Council (and potentially other bodies) and could include a combination of two or more of the following mitigation measures:

- a. Appropriate signage to encourage responsible behaviour;
- b. Distribution of information to raise public awareness;
- c. Working with local schools, forums and groups to increase public understanding and ownership;
- d. Use of on-site wardens to inform the public of site sensitivities;
- e. Adoption of a code-of conduct;
- f. Zoning and/or seasonal restrictions to minimise disturbance in particular sensitive areas at particularly sensitive times;
- g. Specially considered design and use of access points and routes;
- h. Undertaking monitoring of the site's condition and species count;
- i. Provision of a Suitable Accessible Natural Green Space (SANGS).

12.7 The Coastal Mitigation SPD contains additional guidance and information on the mitigation expected from development within North Tyneside to prevent adverse impacts on the internationally protected coastline. Development can adversely affect the Northumbria Coast SPA /Ramsar through additional pressure from local residents and visitors. It is proposed to introduce a coastal wardening service as part of a wider Coastal Mitigation Service that will implement a range of targeted and coordinated physical projects to mitigate the impacts at the coast. The SPD sets out a recommended developer contribution towards this service that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats.

12.8 The site currently comprises a tarmac car park with avenues of shrubs and trees. The Landscape Architect has been consulted. She states that the application does not include any details of the associated landscaping or how the development would impact on existing landscape features. She advises that a landscape scheme, details of tree protection measures and a tree survey will be required.

12.9 The Biodiversity Officer has also commented. She states that as the scheme is within 6km of the Northumbria Coast SPA and Ramsar site it is likely to impact the coast as a result of additional recreational disturbance. To mitigate

this impact a financial contribution will be required in line with the Coastal Mitigation SPD.

12.10 The developer has agreed to make a contribution of £153 per unit of accommodation towards the coastal mitigation scheme.

12.11 Landscaping is a reserved matter and therefore a detailed landscaping scheme to include details of any trees lost and replacement planting can be provided at reserved matters stage. Details of tree protection measures can also be required by condition.

12.12 It is officer advice that subject to these conditions and the agreed contribution towards the Coastal Mitigation Scheme, 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 DM5.9 of the Local Plan.

13.0 Other issues

13.1 Contaminated Land

13.2 Paragraph 179 of NPPF states that where a site is affected by contamination of land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

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

13.4 Given that the application site overlies former landfill and was previously used as a railway, there may be the potential for ground gas and contamination. The Contaminated Land Officer has stated that conditions will be required to address these issues.

13.5 Subject to these conditions, it is officer advice that the proposal complies with policy DM5.18 of the Local Plan 2017.

13.6 Flooding

13.7 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.

13.8 Policy DM5.12 of the Local Plan states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been undertaken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

13.9 Policy DM5.14 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems

(unless otherwise updated and/or superseded. On brownfield sites, surface water run off rates post development should be limited to a maximum of 50% of the flows discharged immediately prior to the development where appropriate and achievable. For greenfield sites, surface water run off post development must meet or exceed the infiltration capacity or the greenfield prior to development incorporating an allowance for climate change.

13.10 The site is an existing area of hardstanding car park, and is within Flood Zone 1, which is the lowest risk. It is not within a Critical Drainage Area.

13.11 The development would result in a small increase in the impermeable area due to the loss of landscaping. The Local Lead Flood Officer has advised that this will not impact on the surface water drainage network or the receiving water body given that surface water would drain into a tidal section of the River Tyne. He recommends a condition in respect of the detailed drainage design.

13.12 Northumbrian Water has been consulted and do not object subject to a condition in respect of the foul and surface water drainage.

13.13 Subject to a condition, it is officer advice that the proposal would not have an adverse impact in terms of flooding and would accord with the advice in NPPF and policies DM5.12 and DM5.14. Members need to consider whether they agree.

13.14 S106 Contributions

13.15 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.

13.16 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.

13.17 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.

13.18 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.

13.19 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.

13.20 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.

13.20 The following contributions have been requested by service areas:

Ecology and Biodiversity: £6,825

Employment and Training: 0.5% of the total capital costs and/or apprenticeship opportunities within the construction and end user phase.

Coastal Mitigation: £153 per unit towards the Coastal Mitigation Scheme

13.21 The above have been reported to IPB. These contributions are considered necessary, directly related to the development and fairly and reasonable relate in scale and kind to the development and therefore comply with the CIL Regulations.

13.22 A CIL payment will be required.

13.23 Local Financial Considerations

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

14.0 Conclusions

14.1 The application site is an existing car park, within an out of centre location. It has been demonstrated that there are no sequentially preferable sites that are suitable, available and viable. The proposal would secure economic growth and

contribute to job creation. This carries significant weight. The proposal would not have an adverse impact on surrounding occupiers, the character of the area, highway safety or biodiversity.

14.2 The application is therefore recommended for approval subject to a S106 legal agreement and conditions.

RECOMMENDATION: Minded to grant legal agreement req.

Members are recommended to indicate that they are minded to grant this application subject to an Agreement under Section 106 of the Town and Country Planning act 1990 and the addition, omission or amendment of any other conditions considered necessary. Members are also recommended to grant plenary powers to the Head of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure the following:

Ecology and Biodiversity: £6,825

Employment and Training: 0.5% of the total capital costs and/or apprenticeship opportunities within the construction and end user phase.

Coastal Mitigation: £153 per unit towards the Coastal Mitigation Scheme

Conditions/Reasons

1. The development shall be carried out in accordance with the following approved plans:

- Application form
- Site location plan

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

2. Approval of the details of access, scale, layout, appearance and landscaping hereafter called the "reserve matters" shall be obtained from the Local Planning Authority before any development is commenced.

Reason: That your application is expressed to be an outline application only.

3. Application for approval, of reserve matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of the last of the reserve matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall not exceed 3-storeys in height.

Reason: To protect the character and appearance of the surrounding area; having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

5. The details to be submitted as part of the reserved matters application shall include a scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and these areas shall not thereafter be used for any other purpose.

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

6. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

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

7. Prior to occupation of the development a car park management strategy for the site must be submitted to and agreed in writing by the Local Planning Authority. Thereafter the strategy shall be carried out in accordance with the agreed details.

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

8. Prior to occupation of the development a service management strategy for the site must be submitted to and agreed in writing by the Local Planning Authority. Thereafter the strategy shall be carried out in accordance with the agreed details.

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

9. Prior to occupation of the development a scheme for the provision of secure undercover cycle parking must be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the cycle parking shall be implemented in accordance with the approved details before the development is occupied.

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

10. Prior to occupation of the development a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include an undertaking to conduct travel surveys to monitor whether the Travel Plan targets are being met. Thereafter the development shall be operated in accordance with the approved travel plan.

Reason: To encourage sustainable transport; having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

11. Prior to the construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

12. Prior to occupation of the development a noise scheme for acoustic glazing to be provided to the hotel bedrooms must be submitted to and approved in writing by the Local Planning Authority. Acoustic glazing must be provided in accordance with BS8233 and the World Health Organisation community noise guidelines to ensure that all bedrooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB. The approved scheme shall be implemented prior to the occupation of the development and retained thereafter.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

13. Prior to the operation of any external plant and equipment installed at the premises a noise scheme must be submitted in accordance with BS4142 to determine the current background noise levels for the representative time when the plant is operational. The rating level for all plant must not exceed the current background noise levels. Within one month of installation of the plant and equipment acoustic testing must be undertaken to verify compliance with this condition and the results of the testing submitted to and approved in writing by the Local Planning Authority prior to operation of the plant (other than for testing purposes). Thereafter the scheme shall be implemented and maintained in accordance with the agreed details.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

14. All plant and machinery shall be enclosed with sound insulation materials in accordance with a scheme to be submitted to and agreed by the Local Planning Authority in writing and the plant and machinery shall not be used until the approved soundproofing has been implemented.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

15. There shall be no deliveries or collections outside the hours of 07:00 and 23:00 on any day.

Reason: In order to protect the amenity of the occupiers of the development, having regard to Policy DM5.19 of the North Tyneside Local Plan 2017.

16. Noise No Tannoys Externally Audible NOI002 *

17. External seating areas shall not be used outside the hours of 08:00 to 21:00 hours.

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

18. Prior to occupation of the development a noise management scheme for all external seating and smoking areas to minimise external noise late at night must be submitted to and agreed by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the agreed details.

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

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

Reason: In order to protect the amenities of occupiers of the development and nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

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

c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken into account having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

26. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of 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 has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy DM5.18 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

27. Notwithstanding the details to be submitted pursuant to condition 2, prior to occupation of the development details of all fences, gates, walls or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: To secure a satisfactory external appearance, having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

28. Notwithstanding the details to be submitted pursuant to condition 2, prior to the construction of the development above damp proof course level, a schedule and/or samples of construction and surfacing materials and finishes shall be submitted and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory external having regard to the NPPF and policy DM6.1 of the North Tyneside Local Plan (2017).

29. The details to be submitted as part of the reserved matters application shall include a fully detailed tree survey, Arboricultural Impact Assessment (AIA) and associated Tree Protection Plan and Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 Trees in Relation to Construction-Recommendations.

Reason: To ensure that important features are protected and retained and to ensure a satisfactory standard of landscaping in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

30. Prior to commencement of development or any site clearance works there shall be submitted to the Local Planning Authority for their approval a scheme showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a vertical and horizontal framework of scaffolding or post and rail fencing, to a height of 1.5 metres, well braced to resist impacts and supporting either cleft chesnut pale or chain link fencing and sited at a minimum distance from the tree equivalent to the crown spread. No site clearance works or the development shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- a) There shall be no changes in ground levels;
- b) No materials or plant shall be stored;
- c) No buildings or temporary buildings shall be erected or stationed;
- d) No materials or waste shall be burnt;
- e) No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority, and
- f) In carrying out the development, the developer shall conform with the recommendations in BS 5837:2012 in relation to the protection of trees during construction.

Reason: This needs to be pre-commencement condition to ensure that important features are protected and retained in the interests of amenity and to ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

31. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted as part of the details of the proposed development as required by condition number 2; above.

The landscaping scheme shall be implemented in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard (4428:1989). The scheme is to be implemented within the first available planting season following completion of the scheme by an approved contractor. Any trees, shrubs or wildflower areas that fail or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

32. 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: In the interest of biodiversity and landscaping having regard to policy DM5.5 and DM 5.9 of the North Tyneside Local Plan 2017.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

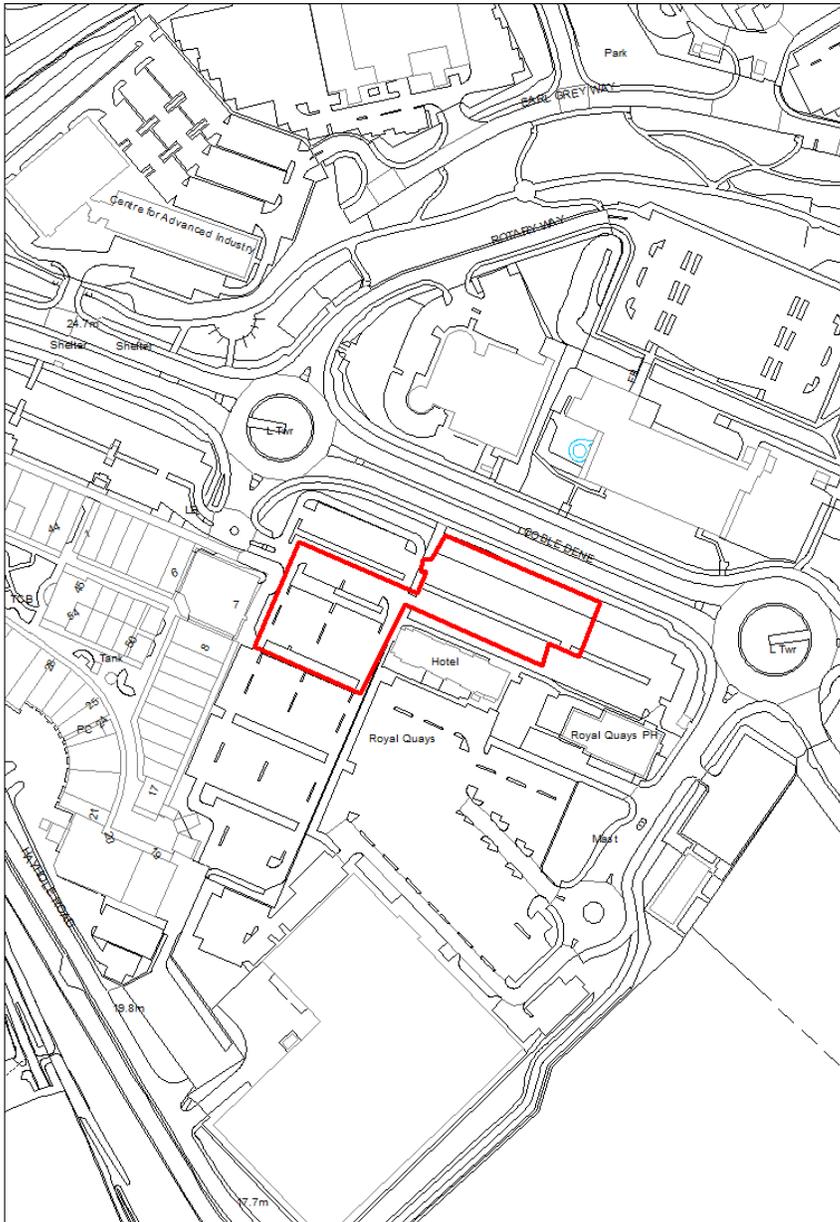
Building Regulations Required (I03)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)



Application reference: 20/00632/OUT

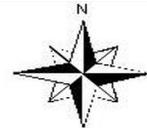
Location: Management Suite, Royal Quays Outlet Centre, Coble Dene, North Shields

Proposal: Outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking

Not to scale

Date: 22.07.2020

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**Appendix 1 – 20/00632/OUT
Item 4**

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This is an outline application with all matters reserved - new hotel development comprising approximately 70 bed spaces and associated car parking. The site is located within the existing shopping centre and whilst some parking spaces will be lost as a result of the development, previous surveys of the site have demonstrated ample parking for the needs of the site and that the proposed use can be accommodated in the retained level of parking. The site also has reasonable links with public transport and conditional approval is recommended.

1.3 Recommendation - Conditional Approval

1.4 Conditions:

PAR03 - Veh: Parking, Garaging, Loading (OUT)

SIT07 - Construction Method Statement (Major)

Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. This strategy shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a service management strategy for the site shall be submitted to and agreed in writing by the Local planning Authority. This strategy shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a scheme for the provision of secure undercover cycle parking shall be submitted to and agreed in writing by the Local planning Authority. This scheme shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of highway safety.

Prior to occupation of the development a Framework Travel Plan shall submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether the Travel Plan targets are being met.

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

1.5 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

2.0 Local Lead Flood Authority

2.1 I have carried out a review of planning application 20/00632/OUT. As the surface water drainage from the development will discharge into a tidal section of the River Tyne, the increase in the overall impermeable area due to the loss of soft landscaping will not impact on the surface water drainage network or the receiving waterbody. As a result I can confirm I have no objections to the proposals.

2.2 I would recommend a condition is placed on the application if successful requiring a copy of the detailed drainage design to be submitted to the LLFA for approval before works commence on site.

3.0 Manager of Environmental Health (Pollution)

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

3.2 A noise scheme will be required to ensure noise arising from any external plant that may be installed is considered e.g. air conditioning units etc, and appropriate mitigation considered to ensure any external plant noise is mitigated for nearest sensitive receptors. The noise assessment must also consider the internal noise for the hotel bedrooms and recommended a glazing scheme to ensure bedrooms achieve a level of 30 dB LAeq for night time.

3.3 I would therefore recommend if planning consent is to be given the following condition to ensure a noise scheme is provided.

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

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

Prior to occupation, submit and implement on approval of the local Planning Authority a noise scheme for the acoustic glazing scheme to be provided for the hotel bedrooms. 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 bedrooms 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

Prior to the operation of external plant and equipment installed at the premises a noise scheme must be submitted in accordance with BS4142 to determine the current background noise levels for the representative time when the plant is operational. The rating level for all plant must not exceed the current background noise levels. 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.

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

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

NOI02

Any external seating area provided must be restricted for use to between 08:00 to 21:00 hours.

Submit for approval and implement a noise management scheme for the hotel with regard to any external seating areas or smoking areas to be provided at the premises, and agreed, to minimise external noise late at night.

EPL01

EPL02

EPL03

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

Deliveries and collections to the site to be restricted to 07:00 - 23:00 hours.

LIG01

HOU04

SIT03

4.0 Manager of Environmental Health (Contaminated Land)

4.1 The former use of the site as a railway may give rise to potential contamination. The site overlies a former landfill. There may be the potential for ground gas and contamination. The following must be applied:

CON 001

GAS 006

5.0 Landscape Architect

5.1 Existing Site Context

5.2 The (Royal Quays) shopping outlet and its associated retail, office and leisure units are well serviced by the existing car parking areas and the Coble Dene and Howdon transport corridors. There are occasional semi-mature landscaped zones internally and bordering the perimeter site areas, which along with linear island tree locations and surface treatments in the car parking areas, link together to form a contemporary landscape matrix throughout the site area.

5.3 The application is for a new 70 bedroom hotel development within the ownership boundary of the existing Royal Quays Factory Outlet Centre

5.4 Landscape Comments (Trees and Landscape Design)

5.5 The proposed site area is currently a parking area, rectilinear in shape and occupying intervening space between the existing Premier Inn Hotel and the Coble Dene highway. The proposed site area is bordered by avenues of semi-mature Lime trees located within linear shrub beds, extending around the proposed site area. The building is to be set back from the landscaped perimeter of the Royal Quays Outlet Centre site and will have a same orientation as the neighbouring Premier Inn hotel.

5.6 The proposals will utilise the exiting public highway system surrounding the Royal Quays Outlet Centre. The submitted outline proposals have not given any details of the associated landscape design for the site surrounding the development or how it would impact on existing landscape features. It is not clear from the submitted information if the existing trees within the car park will be retained to the frontage of the new building or new trees are to be planted. Therefore in line with the Council's Local Plan policy DM5.9 Trees, Woodland and Hedgerows, the applicant will need to provide a further details to disclose the loss of any existing landscape assets on site and/or the protection methods required to safeguard their structure during potential construction works.

5.7 The following should be submitted should the application be approved:

- A fully detailed tree survey, Arboricultural Impact Assessment (AIA) and associated Tree Protection Plan and Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 Trees in Relation to Construction-Recommendations
- An indicative landscape scheme or strategy to be submitted in support of the proposed scheme to show both new planting and any associated replacement planting to mitigate for the loss of any trees, within the context of the proposed site area.

6.0 Biodiversity Officer

6.1 The application above is for the development of a new hotel and associated car parking within an area of hardstanding (car parking) at Coble Dene that is not within a designated wildlife corridor or adjacent to any designated wildlife sites.

6.2 The proposal may result in the loss of some small trees within the car park area

and these would need to be replaced as part of any scheme and details submitted through a landscape scheme for the site.

6.3 The scheme is within 6km of the Northumbria Coast SPA and Ramsar site and therefore, is likely to impact the coast as a result of recreational disturbance. Increases in residential and tourist accommodation leads to an increase in recreational activity, which can lead to increased disturbance to the birds associated with the designated sites. The scheme will, therefore, need to comply with the Councils Coastal Mitigation SPD. The SPD provides guidance and information on the mitigation required from development within North Tyneside to prevent adverse impacts on the internationally protected coastline

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

- In order to address the recreational impacts of the scheme on the Northumbria Coast SPA, an appropriate financial contribution will be required towards the delivery of a Coastal Mitigation Service in accordance with the Councils Coastal Mitigation SPD and agreed by the Local Planning Authority.
- A Landscape Mitigation Plan will be submitted to the LPA for approval prior to development commencing on site

7.0 Planning Policy

7.1 The site is currently a car park that serves the Royal Quays Outlet Centre. There is an existing Premier Inn hotel and Brewers Fayre pub immediately to the south of the site and there are a mix of uses to the north and west including residential apartments, office accommodation and leisure uses (gym, trampoline centre, bowling alley and waterpark). The area is largely dominated by its close proximity (approximately 1km) to the River Tyne (south east of the site) and the International Ferry Terminal and Royal Quays Marina. The hotel is principally intended to serve those using the ferry and marina.

7.2 The hotel development is defined as a main town centre use within the National Planning Policy Framework (NPPF), but because it's in an out of centre location the applicant has submitted a sequential assessment in accordance with paragraph 86 of the NPPF and Policy DM3.4 of the Local Plan).

7.3 The sequential assessment considers alternative sites within or on the edge of an existing centre. The applicant has limited the sequential search to Wallsend (4.5km from the site) and North Shields (2km from the site), which are the two closest town centres to the site.

7.4 The overall site area is 8,190m² but the total gross new internal floorspace is 2,769m². The sequential assessment has demonstrated flexibility by lowering the site area by 10% to capture a greater range of sites and considered existing buildings that could be converted. However, no alternative sites that are considered suitable, available or viable were identified.

7.5 The development would create 20 full time employees and capitalise on the economic opportunities of the International Ferry Terminal and Royal Quays Marina. The development would support investment and regeneration of The River Tyne North Bank and be in accordance with Policy S2.1, AS2.5 of the Local Plan (2017).

7.6 Conclusion: The proposed development would be in accordance with Policy S2.1, DM3.4 and AS2.5 of the North Tyneside Local Plan (2017).

8.0 Representations

8.1 1no. representation has been received. This is summarised below:

- Poor/unsuitable vehicular access.
- As a condition of planning consent, please can you ensure that secure indoor cycle parking is available for the cycles of touring cyclists staying overnight.
- Secure cycle parking also needs to be available for staff.

9.0 External Consultees

9.1 North Shields Business Chamber

9.2 Positive investment in North Shields is to be encouraged. There is a hotel very close to this proposal, so we assume that the new hotel will be developed in such a way as to attract customers who might otherwise not stay in the area.

9.3 It is clearly important that the parking needs of the existing hotel and the Outlet Centre be maintained.

10.0 Northumbrian Water

10.1 The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

11.0 Environment Agency

11.1 We have no objection to the application as submitted.

11.2 The area is already heavily developed, including the Royal Quays and another hotel so this proposal is in keeping with what is already there. Based on the information we hold we have no concerns with the application as submitted.

12.0 Northumbria Police

12.1 I have viewed the above application in relation to a new hotel development at Royal Quays Outlet Centre. We have no objections to the planning application and await further details in relation to the development before making any specific comments.