

**Application No:** 21/00920/FUL

Author: Rebecca Andison

Date valid: 29 March 2021

☎: 0191 643 6321

Target decision date: 28 June 2021

Ward: Preston

Application type: full planning application

**Location: Land At Former Tynemouth Victoria Jubilee Infirmary, Hawkeys Lane, North Shields, Tyne And Wear**

**Proposal: Proposed 51 no. of Extra care accommodation. Use Class C2 (Residential Institutions)(ADDITIONAL INFORMATION REGARDING C2 USE)**

Applicant: Sea Island Developments, Mr Mark Walton 101 Percy Street  
Newcastle-upon-Tyne NE1 7RY

Agent: JDDK Architects, Mr Oliver Hopwood Jane Darbyshire & David Kendall  
Ltd Millmount Ponteland Road NEWCASTLE UPON TYNE NE5 3AL

## **RECOMMENDATION:**

**The Committee is recommended to:**

- a) indicate that it is minded to approve the application subject to:
  - i) the receipt of a scheme of off-site habitat creation to secure a net gain in biodiversity and comments from the Biodiversity Officer and Landscape Architect to confirm this information is satisfactory;
  - ii) any agreement under Section 106 of the Land and Country Planning Act 1990 considered necessary to deliver this scheme; and
- b) authorise the Director of Environment, Housing and Leisure to determine the application subject to the conditions listed below and the addition, omission or amendment of any conditions considered necessary, providing no further matters arise which in the opinion of the Director of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

## **INFORMATION**

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

#### 1.0 Main Issues

1.1 The main issues for Members to consider in this case are:

- Principle;

- Impact on the living conditions of surrounding occupiers, and whether the proposal would provide a sufficient residential living environment for future occupiers;
- Impact of the proposal on the character and appearance of the site and its surroundings;
- Impact on trees and biodiversity; and
- Whether there is sufficient car parking and access provided.

## 2.0 Description of the Site

2.1 The application site is located on the east side of Hawkeys Lane, North Shields and has an area of approximately 0.5 hectares.

2.2 To the north of the site is a shared access road, Collingwood and Appleby Surgery's, a pharmacy and NHS therapy offices, and to the south is a newly built Aldi supermarket. The eastern boundary abuts the rear gardens of residential properties on Beech Court, and to the west is an ambulance station adjacent to Hawkeys Lane. Spring Gardens Primary School is located to the south east. The ambulance station and adjacent war memorial are grade II listed.

2.3 The application site is currently vacant and occupied by hardstanding, grass and trees.

2.4 The site is allocated for housing by the North Tyneside Local Plan (Site 63).

## 3.0 Description of the proposed development

3.1 The proposal seeks full planning permission for the construction of a 2-3 storey extra care development (C2 use class) comprising 51no. 1-bedroom apartments, communal facilities, gardens and car parking.

## 4.0 Relevant Planning History

19/01388/FUL - Hybrid application: Full application for Aldi store, associated car parking and landscaping; outline application (with means of access) for residential use  
Permitted 18.06.2020

## 5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

## 6.0 Government Policy

6.1 National Planning Policy Framework (July 2021)

6.2 National 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:

- Principle;
- Impact on the living conditions of surrounding occupiers, and whether the proposal would provide a sufficient residential living environment for future occupiers;
- Impact of the proposal on the character and appearance of the site and its surroundings;
- Impact on trees and biodiversity; and
- Whether there is sufficient car parking and access provided.

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

### 8.0 Principle

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 Paragraph 60 of NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

8.4 Paragraph 74 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.

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 Policy S4.1 states that the full objectively assessed housing needs of North Tyneside will be met through the provision of sufficient specific deliverable housing sites, including the positive identification of brownfield land and sustainable greenfield sites that do not fall within the Borough's Green Belt, whilst also making best use of the existing housing stock.

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

8.9 The most up to date assessment of housing land supply informed by the five year housing land summary included within the Housing Land Availability Assessment, September 2021. It identifies the total potential 5-year housing land supply in the borough at 4,012 additional dwellings, a total which includes delivery from sites yet to gain planning permission. This represents a shortfall against the Local Plan requirement or approximately a 4 year supply of housing land. It is important to note that this assessment of five year land supply includes over 2,000 homes at proposed housing allocations within the Local Plan (2017). The potential housing land supply from this proposal is included in this assessment.

8.10 The application site is identified for housing under Policy S4.3 of the North Tyneside Local Plan (2017). The Local Plan allocation (Site 63) includes an area of land to the north which is currently occupied by NHS buildings and lies outside the boundary of this application. The Local Plan suggests that the site could accommodate around 54no. new homes.

8.11 The SHMA sets out that North Tyneside has an increasing population over the age of 65 and that the range of housing options available to older people needs to be diversified. The provision of specialist housing is also supported by Policy DM4.8 where it is integrated into the local residential community.

8.12 The proposal comprises an extra care housing development for older people who do not want or need to move into a nursing home, but whose disability or health needs make ordinary housing unsuitable. It contains self-contained homes with additional support services to help residents live independently. The application site is located directly adjacent to local healthcare facilities and an Aldi store, which will provide day-to-day convenience shopping for residents.

8.13 The development would contribute to meeting the housing needs of the borough and is therefore considered to accord with the aims of the NPPF to increase the delivery of new homes, and Local Policies S4.1 and DM4.8. The principle of the proposed development is considered acceptable subject to consideration of the following matters:

#### 9.0 Impact on the amenity of existing and future occupiers

9.1 Paragraph 185 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 The NPPF states that planning should always seek to ensure that developments create places that are safe, inclusive and accessible and which promote health

and well-being, with a high standard of amenity for existing and future users.

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

9.4 Policy S1.4 of the Local Plan 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.

9.5 DM5.19 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. Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.6 Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.7 Policy DM4.9 states that to ensure that new homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1 October 2018 the following standards will apply, subject to site viability:

Accessibility of homes:

Market Housing

a. For new housing developments, excluding low-rise non-lift serviced flats, 50% of homes are to meet building regulation M4(2) – ‘Category 2 -accessible and adaptable dwellings’.

Affordable Housing

b. For all new housing developments, excluding low-rise non-lift serviced flats, 90% of homes should meet building regulation M4(2) – ‘accessible and adaptable dwellings’.

c. 10% of new homes where the local authority is responsible for allocating or nominating a person to live in that dwelling should meet building regulation M4 (3) (2) (b). When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up-to-date information on specific need in the local area. Where there is no specific need identified, then M4 (3) (2) (a) will apply, to allow simple adaptation of the dwelling to meet the future needs of wheelchair users.

Internal Space in a Home:

d. All new homes, both market and affordable, will meet the Government's Nationally Described Space Standard (NDSS).

#### *9.8 Impact on existing residents –*

9.9 The closest existing residential properties are located to the east on Beech Court. The eastern boundary of the site is shared with the rear gardens of No.'s 8 -11 Beech Court. The development would be located approximately 8.7m to 10.9m from this boundary, and approximately 16.7m to 18.9m from the rear elevations of No.'s 8 and 9. The eastern part of the development reduces in height to 2.5 storeys (9.6m to ridge) and the hipped roof is inclined away from the shared boundary to reduce the bulk of the building. While the development would be visible from the adjacent housing it is not considered that it would result in any significant loss of outlook when taking into account its position and height.

9.10 A Shadowing Study has been submitted to assess the impact of the development on light. This shows that the development may result in overshadowing of properties on Beech Court from 6.30pm at Summer Equinox, from 5pm at Spring Equinox and from 3pm-4pm at Winter Solstice. At Winter Solstice it may also cause some early morning shadowing of properties to the north on Landsdowne Terrace, but this is mostly offset by existing buildings. When taking into account that overshadowing would occur only for a limited period at certain times of year the impact on light is considered to be acceptable.

9.11 A first-floor landing window is proposed in the eastern gable elevation. To prevent any loss of privacy a condition is recommended stating that this must be obscurely glazed and either fixed shut or fitted with an opening restrictor. The north and south elevations of the development include first and second floor balconies, and a second-floor roof terrace is proposed at the west end of the building. These parts of the development do not overlook any residential properties and the impact on privacy is therefore considered to be acceptable.

9.12 Having regard to the above the impact on the living conditions of existing residents is considered to be acceptable.

#### *9.13 Impact on future occupiers –*

9.14 The application site is located between commercial uses to the north, an ambulance station to the west and an Aldi store to the south. A Noise Assessment has been submitted to consider the potential impact of noise from road traffic, the ambulance station, Spring Gardens Primary School and noise from the Aldi store. The assessment is supplemented by an addendum written in response to the Manager of Environmental Health's initial comments.

9.15 The Manager of Environmental Health has reviewed the assessment and provided comments. She states that properties on the south side of the development will principally be exposed to intermittent and intrusive noise from supermarket and therefore must be provided mechanical ventilation so residents can achieve adequate ventilation without the need to open windows. Conditions are recommended in respect of: a noise scheme to ensure that acceptable noise

levels are achieved within habitable rooms, mechanical ventilation scheme for south facing properties, construction hours and dust suppression.

9.16 Subject to these conditions the impact of noise on future occupiers is considered to be acceptable.

9.17 In terms of the Council's Housing Standards, the proposed 1-bedroom apartments should be 50 sqm. They would measure 50 sqm and 51 sqm and are designed to meet the requirements of Building Regulations M4(2) Accessible and Adaptable dwellings. The proposal therefore complies with policy DM4.9.

9.18 Each apartment has either a private balcony or direct access into the communal gardens, as well as access to a communal roof terrace. The landscaped garden includes seating, paths, planters and a resident's greenhouse and shed.

9.19 It is officer opinion that, subject to the conditions discussed above, the development would provide an acceptable living conditions for future occupiers and avoids having an adverse impact on existing residents. Members need to consider whether they agree.

#### 10.0 Impact on 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 Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (NPPF para. 134).

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 the characteristics of the site, its wider context and the surrounding area.

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

10.5 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.

10.6 There are a variety of building styles in the surrounding area. Residential dwellings are typically 2-storey brick built semi-detached and terraced properties. Spring Gardens Primary School comprises a range of single storey brick buildings and NHS buildings to the north include a brick-built doctors' surgery and flat roofed buildings to the east. The Grade II Listed former Victoria Jubilee Infirmary and Hawkeys Lane War Memorial are located to the west of the site.

10.7 The proposed development is predominantly 3-storey in height reducing to 2-storey at either end to reduce its mass. Although higher than the surrounding buildings it is not considered that the height of the development would result in any significant harm to the streetscene or character of the area. The building line is staggered, and the pitched roof contains gable features to add interest to the elevations. Further visual interest is added by the mixed material palette which includes red brick, off-white render and a living-wall to the second-floor roof terrace.

10.8 A car park is proposed on the west side of the development. This would be separated from Hawkeys lane by the existing ambulance station car park and would not therefore result in any harm to the streetscene. A second smaller parking area is proposed adjacent to the northern boundary adjacent to the existing access road. The appearance of both areas would be softened by landscaping.

10.9 Overall, it is considered that the development is well designed to sit comfortably within the site and to relates well to the surrounding buildings. The impact on the setting of the two listed buildings is also considered to be acceptable.

10.10 In conclusion, it is considered that the proposal would accord with the advice in NPPF and policy DM6.1 and the Design Quality SPD. Members need to consider whether they agree.

#### 11.0 Landscaping and ecology

11.1 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.

11.2 Paragraph 174 of NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

11.3 Paragraph 180 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.

11.4 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.



11.5 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.

11.6 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.

11.7 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.

11.8 Housing developments have the potential to impact on the Northumbria Coast SPA through additional visitor disturbance and a contribution towards the Coastal Mitigation Service is normally required to mitigate this impact.

11.9 The Coastal Mitigation SPD states: "In general, developments such as hospitals and residential care/nursing homes will not be considered to have a likely significant effect with regard to recreational impacts but will be considered on a case by case basis taking into account potential "in combination" effects and any associated net change in residential occupancy for carers residing on the site".

11.10 The applicant has submitted a supporting statement to explain the nature of the proposed development. They advise that the development would be used for C2 (extra care) purposes only and that they would be willing to accept a condition to control this. Whilst a care provider has yet to be secured the development will only be open to individuals who meet a minimum level of care requirement. Services commonly include help from a housing manager, a dedicated team of care and support staff, 24-hour emergency help and communal lounges. The development is likely to accommodate residents with an average age of 80+.

11.11 Natural England have provided comments and state that they do not consider that the development will have a significant adverse impact on designated sites. It is therefore officer advice that, given that residents are unlikely to make frequent visits to the coast, a contribution towards the Coastal Mitigation Service is not required in this case.

11.12 The applicant has submitted a Biodiversity Net Gain Assessment, Preliminary Ecological Appraisal, Landscape Mitigation Plan, Arboricultural Impact Assessment and Arboricultural Method Statement.

11.13 The site currently contains an area of hard standing and areas of scattered grassland, scrub and trees.

11.14 The Preliminary Ecological Appraisal (PEA) advises that there are no structures or trees within the site which have the potential to support roosting bats and that foraging opportunities on site for local bat species are limited. There are no suitable wetlands within or within 500m of the site that are suitable for breeding great crested newt, and no evidence of dingy skipper butterflies was recorded during the butterfly survey. The (PEA) recommends that series of mitigation measures including the provision of bird and bat boxes and landscape planting.

11.15 To construct the development, it is necessary to remove all the existing grassland habitat, which equates to 3.87 habitat units. As part of the development, it is proposed to create new shrub, grassland and a rain garden, equating to 0.8 habitat units. This results in a net habitat loss of 80%. The applicant has advised that this loss cannot be sufficiently off-set within the site.

11.16 Existing trees would also have to be removed from the centre of the site. These comprise a group of mixed-species trees which the AIA assesses as Category C.

There are further trees along the eastern boundary which are protected by The Chase, North Shields TPO 1992. These trees would be retained and protected.

11.17 A Landscape Strategy Plan has been submitted. This includes 32no. new trees, hedge planting, a rain garden, wildflower turf and ornamental shrub planting.

11.18 The Biodiversity Officer and Landscape Architect have been consulted and provided comments. Their comments request additional information and raise concerns regarding the extent of habitat being lost. The additional information has been submitted and the applicant has agreed to make a financial contribution towards off-site habitat creation and maintenance to mitigate for the development. Details of the agreed mitigation and updated comments from the Biodiversity Officer and Landscape Architect will be reported to Members prior to the committee meeting.

## 12.0 Whether there is sufficient car parking and access provided

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

12.2 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 111 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.

12.4 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.

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

12.6 26no. parking spaces are proposed, including 3no. drop off/service bays and 2no. accessible bays. They would be accessed from the existing shared access road on the north side of the site. 10no. cycle parking spaces and a bin collection point are also proposed. A Transport Statement (TS) has been submitted. This states that the development would result in a maximum of 11 movements (arrival + departure) during peak hours, which would have a negligible impact on the highway network.

12.7 The Highway Network Manager has been consulted and raises no objection to the application. He advises that an appropriate level of parking would be provided for the development and notes that the site has good links with public transport.

12.8 Having regard to the above, and subject to the conditions requested by the Highway Network Manager, it is officer advice that the proposal complies with the advice in NPPF, Policy DM7.4 and the Transport and Highways SPD.

### 13.0 Other issues

#### 13.1 Contaminated Land

13.2 Paragraph 184 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 A Phase 1 and 2 Geo-environmental Assessment has been submitted. The Phase 1 report recommends ground investigation to confirm site conditions and gas monitoring. The Phase 2 report advises that remedial measures will be required in certain areas to mitigate future contamination risks.

13.5 The Contaminated Land Officer has stated that conditions will be required to address these issues. 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 located within Flood Zone 1 and is not within a Critical Drainage Area. A Flood Risk Assessment (FRA) has been submitted. The FRA advises that there is a low risk of flooding to the site from fluvial; coastal; pluvial; groundwater; and sewer flooding. It is proposed to direct surface water to existing stub pipes left by Aldi to the south of the site. The surface water would be discharged at a restricted flow rate of 8.5 l/s, with attenuation provided within the site via an attenuation tank, permeable paving and a rain garden. Surface water flows would be contained within the site for storm events up to and including the 1 in 100 year + 40% climate change event.

13.11 The Local Lead Flood Officer has provided comments and states that he has no objections to the proposals. Northumbria Water have also confirmed that they have no objections and recommend that the Flood Risk and Drainage Strategy form part of the approved documents.

13.12 It is therefore 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.

### 13.13 S106 Contributions

13.14 Paragraph 55 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.

13.15 Paragraph 57 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.

13.16 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.

13.17 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.

13.18 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.

13.19 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: £ 4,972

Parks and greenspace: £ 13,576

Employment and training: A financial contribution based on development costs

13.21 The proposal is for a C2 (residential care) development where all residents are over 55 years old and in need of care. Residents would be provided with landscaped gardens and due their age and care needs are unlikely to use parks and greenspace within the local area. It is therefore officer opinion that the requested contributions towards ecology and parks are not necessary to make the development acceptable in planning terms.

13.22 The need for a contribution towards the Coastal Mitigation service is discussed above and for the reasons set out is not considered necessary in this case.

13.23 The above has been reported to IPB, who have agreed that in this case no S106 contributions towards ecology/biodiversity, parks/greenspace or the Coastal Mitigation Service are required.

12.24 As set out above, a contribution towards off-site habitat creation and maintenance will be required. Details will be reported to Members prior to committee.

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

#### 13.26 Local Financial Considerations

13.27 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).

13.28 The proposal involves the creation of 51 no. new extra care apartments. Granting planning permission for new dwellings increases the amount of New Homes Bonus, which the Council will potentially receive.

13.29 As the system currently stands, for North Tyneside for the new increase in dwellings built 2017/18, the council will receive funding for five years. However, the Secretary of State has confirmed that in 2018/19 New Homes Bonus payments will be made for four rather than five years. In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period.

13.30 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.

#### 14.0 Conclusion

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

14.2 Specifically, NPPF states that LPA's should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. A core planning principle within NPPF requires that 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.

14.3 The site is identified as being suitable for residential development under Policy S4.3 of the Local Plan and lies in a sustainable location, close to shops,

services and transport links. This proposal would provide extra care housing, which is a benefit of the scheme and a material consideration of substantial weight.

14.4 It is officer advice that the development would provide a well-designed residential living environment for future occupiers and would not have an adverse impact upon the character and appearance of the surrounding area, or on neighbouring properties. The impact on the highway network is also considered to be acceptable.

14.3 Subject to a financial contribution towards off-site habitat creation and maintenance to achieve a net gain in biodiversity, and comments from the Biodiversity Officer and Landscape Architect to confirm this scheme is satisfactory, the impact on biodiversity is also considered to be acceptable.

14.4 The development is considered to comply with relevant national and Local Plan policies and is therefore recommended for conditional approval subject to a S106 agreement to secure a contribution (amount to be agreed) towards off-site habitat creation and maintenance and revised comments from the Biodiversity Officer and Landscape Architect to confirm the proposal is acceptable.

## **RECOMMENDATION:**

**The Committee is recommended to**

- a) indicate that it is minded to approve the application subject to:**
- i) the receipt of a scheme of off-site habitat creation to secure a net gain in biodiversity and comments from the Biodiversity Officer and Landscape Architect to confirm this information is satisfactory;**
  - ii) any agreement under Section 106 of the Land and Country Planning Act 1990 considered necessary to deliver this scheme; and**
- b) authorise the Director of Environment, Housing and Leisure to determine the application subject to the conditions listed below and the addition, omission or amendment of any conditions considered necessary, providing no further matters arise which in the opinion of the Director of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.**

## **Conditions/Reasons**

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.
  - Application form
  - Site location plan 3956 10 00 P2 Nov.2020
  - Proposed elevations 3956-JDK-XX-ZZ-DR-A-3001 P1
  - Ground floor plan 3956-JDK-XX-ZZ-DR-A-2001 P2
  - Upper floor plans 3956-JDK-XX-ZZ-DR-A-2002 P3
  - Proposed site plan 3956-JDK- DR-A-1003 P4

- Landscape strategy plan 1566-1-1 Nov.2020
- Proposed drainage layout P20-164-3E-ZZ-XX-DR-C-1000-P1 Nov.20
- Figure No.4 Mitigation plan 26.10.2021

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

2. Standard Time Limit 3 Years FUL MAN02 \*

3. The development shall be carried out in accordance with -Hawkeys Lane, North Shields Flood Risk Assessment for Sea Island Developments (P20-162-3E-ZZ-XXRP-

C-9000), 29.04.2021.

Reason: To provide a satisfactory means of drainage and prevent the increased risk of flooding from any sources in accordance with the NPPF and Policy DM5.12 of the North Tyneside Local Plan 2017.

4. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing.

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).

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

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

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

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

7. 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), materials used in constructing the development, fuels and waste as well concrete mixing and use of fires; 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. It must also include tree protection measures for the trees to be retained. Cabins, storage of plant and materials and parking must not be located within the RPA of the retained trees as defined by the Tree Protection Plan. The AMS must form part of the Contractors Method Statement.

Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until the agreed wheel washing/road cleaning measures are fully operational. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

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.

8. Wheel Wash SIT008 \*

9. Notwithstanding Condition 1, no part of the development shall be occupied until a scheme for the provision of secure undercover cycle parking 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 retained thereafter.

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

10. Site Investigation CON00 \*  
4

11. Remediation Method Statement CON00 \*  
5

12. Validation Report CON00 \*  
6

13. Unexpected Hotspots CON00 \*  
7

14. Gas Investigate no Development GAS00 \*  
6

15. Prior to construction of the development hereby approved above damp course level, a noise scheme shall be submitted to and approved in writing by the Local Planning Authority in accordance with noise report reference 8659.2,

providing details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233. The scheme shall be implemented in accordance with the agreed details and thereafter retained.

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

16. Prior to first occupation of the development, details of a mechanical ventilation scheme for properties with habitable bedrooms adjacent to the supermarket delivery bay must be submitted to and approved in writing by the Local Planning Authority. The mechanical ventilation scheme must consist of a mechanical heat recovery (MVHR) system or an equivalent system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels. The scheme shall be implemented in accordance with the agreed details and thereafter retained.

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

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

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

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

19. Prior to commencement of development, a scheme specifying how and the number of employment opportunities will be offered to local unemployed people during construction shall be submitted to and agreed in writing by the local planning authority. Thereafter, the scheme shall be implemented in accordance with the agreed details.

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

20. All first floor windows in the 2-storey eastern gable elevation shall, up to a minimum height of 1.7 metres above finished floor level, be glazed in obscure glass to a Level 3 or above. The windows shall be either fixed shut or fitted with restrictors to limit the openings to a maximum of 100mm to allow ventilation. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

21. Notwithstanding condition 1, prior to occupation of the development details of all screen and boundary walls, fences and any other means of enclosure must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory environment within the development; having regard to policy DM6.1 of the North Tyneside Local Plan 2017.

22. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the construction and surfacing materials and finishes for the development has 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: To secure a satisfactory external appearance having regard to policy DM6.1 of the North Tyneside Council Local Plan 2017.

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

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

**Informatives**

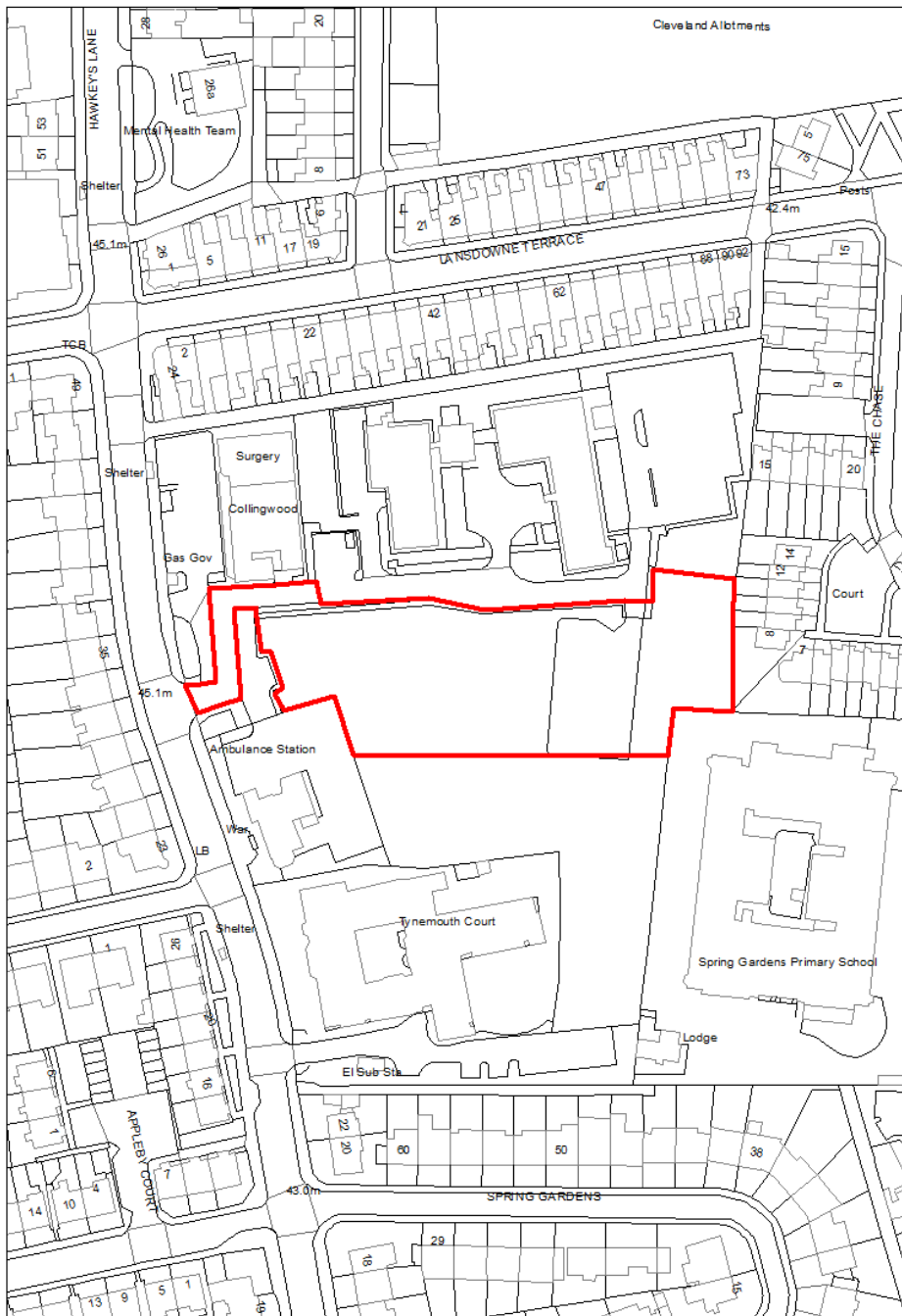
Building Regulations Required (I03)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

Contact Police Crime Prevention Security (I26)



**Application reference: 21/00920/FUL**

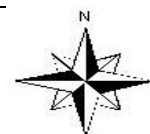
**Location: Land At Former Tynemouth Victoria Jubilee Infirmary, Hawkeys Lane, North Shields, Tyne And Wear**

**Proposal: Proposed 51no. of Extra care accommodation. Use Class C2 (Residential Institutions)(ADDITIONAL INFORMATION REGARDING C2 USE)**

Not to scale

Date: 03.02.2022

© Crown Copyright and database right  
2011. Ordnance Survey Licence Number  
0100016801



**Appendix 1 – 21/00920/FUL  
Item 7**

**Consultations/representations**

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is for 51 units of extra care accommodation. The site is accessed via the existing internal layout of the former infirmary and utilises the existing access into Hawkeys Lane.

1.3 A Transport Statement (TS) was submitted that assessed the development against the local highway network and the impact is not considered to be severe. An appropriate level of parking and cycle parking will be provided, and the site has good links with public transport. Conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 Conditions:

ACC10 - New Access: Access before Devel

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

No part of the development shall be occupied until details of secure & undercover cycle parking provision has been submitted to and approved by in writing the Local Planning Authority. This will be implemented in accordance with the approved details and retained thereafter

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

1.6 Informatives:

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dvlpt

2.0 Manager of Environmental health (Contaminated Land)

2.1 I have read the Phase 2 Geo-Environmental Assessment and note the following:

With regards to contamination the report states that:

"The results of the laboratory chemical analysis identified elevated levels of Lead and non-volatile PAH contamination within samples of made ground screened from across the site, which are considered to represent a potential risk to human health (i.e. future end users). Therefore, it is considered that further remedial measures (i.e. a dedicated clean cover system) will be required for this area of the site in order to mitigate any future risk."

2.2 The report recommends:

When considering the nature of the made ground, at this stage the following remedial solution is considered to represent the most viable option for this site:

- The introduction of an engineered clean cover system (600mm) within all areas of proposed soft landscaping.
- Prior to commencing with any future remedial works, a detailed Remediation Strategy should be prepared and agreed with the Local Authority, and once implemented the remediation work should be validated by a suitably qualified engineer.

2.3 With regards to gas the report states that:

"4.6 To date, the wells have been monitored on two occasions (18th April and 11th May 2019) for methane, carbon dioxide and oxygen using a portable infra-red gas monitor."

"5.17 The result of the initial assessment indicates this site falls within a Characteristic Situation 1 (CS1), indicating no gas protective measures being required. However, due to the increased levels of Carbon Dioxide recorded at the location of WS06 at this stage it is recommended that an allowance be included for the provision of gas protective measures, in accordance with CIRIA and BS8485:2015 Characteristic Situation 2 (CS2), until completion of the outstanding 4 no. gas monitoring visits."

2.4 As a remediation statement is required the following conditions must be applied:

Con 004

Con 006

Con 006

2.5 As there is outstanding gas monitoring then Gas 006 must be applied.

### 3.0 Manager of Environmental Health (Pollution)

3.1 I have concerns with regard to potential noise arising from the Aldi foodstore development affecting the proposed extra care accommodation.

3.2 I have reviewed the noise assessment which has considered noise arising from road traffic on Hawkeys Lane. Noise monitoring was carried out at two locations to the north of the site, but for noise arising from the Aldi Supermarket the noise report refers back to the noise levels referenced for planning application 19/01388/FUL.

3.3 I disagree with the noise report and its use of the AVO guide when considering noise to the south of the site adjacent to the Aldi Supermarket. The scope of the AVO guide is intended for the consideration of new residential development that will be exposed predominantly to airborne noise from transportation sources. The properties to the south façade overlooking the delivery area for the supermarket will principally be exposed to intermittent and intrusive noise from supermarket and not principally road transport noise. I therefore disagree in the determination that the properties to facing towards the south do not require mechanical ventilation. This guidance is suitable for developments where the dominant noise is transport related as such noise is

considered anonymous in nature. Noise levels from the associate delivery activities at the supermarket were calculated to result in noise levels in the region of 48 dB LAr,T and 63 dB LAFMax. The 2.4. m high fence will afford limited screening for the first accommodation and no screening for the second-floor apartments. The planning consent for the hybrid application 19/01388/FUL recommended mechanical ventilation be provided to those properties overlooking the supermarket delivery area so residents did not have recourse to open windows.

3.4 I note that the applicant proposes system 3 of Approved Document F with trickle vents for apartments to the south of the site overlooking the delivery bay but this ventilation scheme is not considered satisfactory. If planning consent is to be provided, I would therefore recommend the following:

Prior to completion of the development hereby approved above damp course level, a noise scheme shall be submitted to and approved in writing by the Local Planning Authority in accordance to noise report reference 8659.2, providing details of the window glazing and sound attenuation measures to be provided to habitable rooms to ensure bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) and living rooms meet an internal equivalent noise level of 35dB(A) as described in BS8233.

Prior to occupation, submit details of the mechanical ventilation scheme for properties with habitable bedrooms adjacent to the supermarket delivery bay approval in writing and thereafter implemented. The mechanical ventilation scheme must consist of a mechanical heat recovery (MVHR) system or an equivalent system that addresses thermal comfort and purge ventilation requirements to reduce the need to open windows. The alternative ventilation system must not compromise the facade insulation or the resulting internal noise levels.

HOU04  
SIT03

#### 4.0 Local Lead Flood Authority

4.1 I can confirm that I have no objections to the proposals. The applicant will be providing surface water attenuation within the site for a 1in100yr rainfall event + 40% increase for climate change via the use of an attenuation tank, permeable paving and rain gardens. The surface water from the development will discharge into the adjacent Aldi site at restricted discharge rate of 8.5l/s.

#### 5.0 Design

5.1 The amended plans and additional information address the previous concerns. The application is supported.

#### 6.0 Biodiversity Officer and Landscape Architect

6.1 The above application site is located to the east of Hawkeys Lane, North Shields and consists of approximately 0.4 - 0.5ha of brownfield land that supports semi-improved grassland and trees/scrub. A new Aldi store has planning approval to the south of the site.

6.2 The proposal is for an extra care housing development of 51 apartments.

6.3 The following Local Plan Policies are relevant to the application:

S5.4 Biodiversity and Geodiversity

DM5.5 Managing effects on Biodiversity and Geodiversity

DM5.9 Trees, Woodland and Hedgerows

6.4 Paragraphs 170, 174 & 175 of NPPF (National Planning Policy Framework) are also relevant to this application.

6.5 The information submitted to support the application (Ecological Mitigation Statement) is related to a separate application (19/01388/FUL) and is not relevant to this specific application.

6.6 In addition, the 'AIA Tree Protection Plan' drawing and Arboricultural Impact Assessment (AIA) is also for a different scheme and is not relevant to the current application and these will need to be updated in accordance with the current scheme.

6.7 The current site supports brownfield habitat (semi-improved grassland) with scattered trees and scrub habitat of biodiversity value. The scheme will result in the loss of all these habitats.

6.8 The brownfield grassland also has the potential to support S41 brownfield butterflies, providing suitable habitat for dingy skipper butterfly, therefore, surveys will need to be undertaken to ensure that this species is not impacted as a result of the scheme.

6.9 The scheme would result in the loss of brownfield habitat and the landscape strategy currently shows a very formal ornamental planting scheme that fails to provide adequate mitigation for the loss of habitats on site, particularly the brownfield grassland that will be lost. The scheme will need to provide sufficient information in line with Local Plan Policy and NPPF to demonstrate that adequate mitigation is being provided and to demonstrate net gain. It is recommended that a Biodiversity Net Gain Assessment is undertaken using Natural England's Biodiversity Metric Calculator to evidence net gain and to demonstrate that the scheme is in accordance with the above Local Plan Policies and NPPF.

6.10 The following survey information is required to enable the LPA to adequately assess the impacts of the scheme:

- Arboricultural Impact Assessment (AIA) and Tree Protection Plan
- Preliminary Ecological Appraisal (PEA)
- Dingy Skipper Surveys ( minimum of 3 site visits to be undertaken in accordance with appropriate survey methodology and during the flight period May-mid June)
- Biodiversity Net Gain Assessment
- Landscape Mitigation Plan



## 7.0 External Consultees

### 7.1 Tyne and Wear Archaeology Officer

7.2 I have checked the site against the HER and historic Ordnance Survey maps. By the end of the 20th century the majority of the site was occupied by the northwards expansion of the Victoria Jubilee Infirmary. There are few areas within the site that will not have been disturbed by the 20<sup>th</sup> century expansion of the hospital and its demolition. This is confirmed by the Phase II Geo-Environmental Assessment report submitted by the applicant. I therefore consider that no archaeological investigation is required prior to the redevelopment of the site.

### 8.0 Northumbria Police

8.1 We have no objection to planning application, however we would encourage the applicant to consider the Secured by Design (SBD) accreditation, this scheme is designed to prevent crime and reduce opportunities for crime to occur. SBD also specifies what type of doors and windows to be used and also covers other security measures which will help achieve the objectives which the scheme promotes. Further information can be found on their website [www.securedbydesign.com](http://www.securedbydesign.com) or by contacting our office.

### 9.0 Northumbrian Water

9.1 I can confirm that the proposals are acceptable, and we therefore would recommend that the Flood Risk and Drainage Strategy documents form part of any approval list.

### 10.0 Natural England

10.1 Summary of Natural England's advice: No objection

10.2 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

#### 10.3 European sites - Northumbria Coast Special Protection Area and Ramsar Site

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Northumbria Coast Special Protection Area and Ramsar site and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:

- The applicant has provided sufficient details to demonstrate that the proposed development will meet the requirements of a C2 use class and will not result in increased recreational disturbance on the SPA/Ramsar site. Natural England recommends that this is secured by a planning condition.

#### 10.4 Northumberland Shore Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

## 11.0 Coal Authority

11.1 The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

## 12.0 Representations

12.1 1no. objection has been received. This is summarised below.

- Poor traffic/pedestrian safety.
- Traffic congestion.
- I have major concerns on behalf of the Collingwood Health Group practice with regard to patient/ pedestrian safety and traffic congestion.
- Cars will pass through the current surgery parking area to the site entrance which will be detrimental to patient safety.