

Application No: 21/02519/FUL

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Target decision date: 1 March 2022

Ward: Tynemouth

Application type: full planning application

Location: Tynemouth Library, 36 Front Street, Tynemouth, Tyne And Wear, NE30 4DZ

Proposal: Demolition of existing buildings. Redevelop the site to provide a community facility with Library services, ICT, Tourist Information, flexible spaces for community use, financial Services and a Changing Places Bathroom. Residential accommodation to provide 6no flats to be accessed from Middle Street via stairs and a lift, including parking. Substation to be rebuilt to suit modern requirements.

Applicant: North Tyneside Council, Miss Mackay Block A The Killingworth Site Harvey Combe Station Road Killingworth NE12 6QQ

Agent: North Tyneside Council, Miss S Mackay Block A The Killingworth Site Killingworth NE12 6QQ

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider are:

- Principle;
- Impact on the living conditions of surrounding occupiers, and whether the proposal would provide a sufficient residential living environment for future occupiers;
- Design and impact of the proposal on heritage assets;
- Impact on 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 Front Street, Tynemouth. It comprises a vacant 3-storey building, previously occupied by Tynemouth library and Tynemouth Photographic Society, and an adjoining single storey retail unit. At the rear of the site is a yard, substation and various single storey extensions.

2.2 Adjoining the site to the east is Timothy Duff Court, a sheltered housing scheme, and to the west is a pedestrian access route between Front Street and Middle Street. The building beyond the access contains a ground floor commercial unit and a residential dwelling. At the rear of the site are 2-storey terraced dwellings on Middle Street.

2.3 The site lies within Tynemouth District Centre and the Tynemouth Conservation Area.

3.0 Description of the Proposed Development

3.1 Planning permission is sought to demolish the existing library, shop and substation and construct a new 3-storey development to include a new community facility containing a library, with building society and changing place facility and 6no. residential apartments. A replacement substation is also proposed.

3.2 The ground floor of the development would contain the library and 1no. 1-bedroom apartment, with the first and second floors containing 2no. 2-bedroom and 2no. 3-bedroom apartments. A further 3-bedroom apartment is proposed within the roofspace.

3.3 A single storey substation and 5no. parking spaces are proposed at the rear of the development.

4.0 Relevant Planning History

03/02770/LAREG3 - Provision of access ramp to main entrance and renewal of rainwater goods – Permitted 04.12.2003

80/01358/FUL - Roofing over yard area to form builders store – Permitted 15.08.1980

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 are:

- Principle;
- Impact on the living conditions of surrounding occupiers, and whether the proposal would provide a sufficient residential living environment for future occupiers;
- Design and impact of the proposal on designated heritage assets;
- Impact on 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 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 Paragraph 86 of NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

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

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

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

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

8.9 Policy S3.2 defines the boroughs main town, district and local shopping centres.

8.10 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.

8.11 Policy S4.3 specifically allocates sites to meet the overall housing needs. The application site is not allocated for housing in the Local Plan.

8.12 Policy DM4.5 states that proposals for residential development on sites not identified on the Policies Map will be considered positively where they can:

- a. Make a positive contribution to the identified housing needs of the Borough; and,
- b. Create a, or contribute to an existing, sustainable residential community; and
- c. Be accessible to a range of sustainable transport modes; and
- d. Make the best and most efficient use of available land, whilst incorporating appropriate green infrastructure provision within development; and
- e. Be accommodated by, and make best use of, existing infrastructure, and where further infrastructure requirements arise, make appropriate contribution to its provision; and
- f. Make a positive contribution towards creating healthy, safe, attractive and diverse communities; and, g. Demonstrate that they accord with the policies within this Local Plan.

8.13 Policy AS8.15(e) states that the further development of Tynemouth as a centre for tourism and the regeneration of Tynemouth station will be promoted in the context of the heritage importance of the village.

8.14 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 not included in this assessment.

8.15 The development would provide 6no.new homes, which would contribute to meeting the housing needs of the borough in accordance with the NPPF and part (a) of Policy DM4.5. It is located in a highly sustainable location within walking distance of shops and services and public transport. The principle of residential development on this site is therefore considered to be acceptable.

8.16 The ground floor of the development would provide a library and community hub with a building society facility, tourist information service, flexible community space and changing places toilet. This part of the development would provide an additional facility for residents and visitors which would enhancement the vitality and viability of the centre in accordance with NPPF (par.86) and LP Policy S3.1 (a and c).

8.17 Having regard to the above; 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 The Design Quality SPD states: “The quality of accommodation provided in residential development contributes significantly to the quality of life of residents and reduces energy use. Residential schemes should provide accommodation of a good size, a good outlook, acceptable shape and layout of rooms and with main habitable rooms receiving daylight and adequate privacy.”

9.9 Impact on existing residents -

9.10 The proposed development is 3-storey and adjoins 4-storey residential apartments within Timothy Duff Court to the east. Timothy Duff Court has a rear offshoot adjacent to the boundary of the site and the proposed development would not project beyond this existing feature. The proposed substation would be located adjacent to the car park of Timothy Duff Court and would not impact on any ground floor windows.

9.11 To the west of the site is a commercial unit (34 Front Street) and a residential dwelling (1 Silver Street). The residential dwelling has windows in the side elevation facing the application site. These windows serve a ground floor bedroom, first floor landing and kitchen and a second-floor bedroom. There would be a separation distance of approximately 4m between the development and these windows.

9.12 No.1's ground floor bedroom window currently faces the blank side elevation of the existing retail unit. It is not therefore considered that the proposal would have a significant impact on this window in terms of loss of light or outlook. To prevent any loss of privacy the ground floor library window which is located opposite No.1's window would be obscurely glazed.

9.13 The proposal would have some impact on No.1's first floor windows due to its height compared to the existing single storey retail unit and the limited separation distance. However, one of the windows is non-habitable, serving a landing/stairway, and the other relates to a kitchen which has a second window in the rear elevation. Taking these factors into account the impact on light and outlook is considered to be acceptable. There would be some overlooking between 2no. first floor bedroom windows within the development (bedrooms 2 and 3 of apartment 2) and No.1's existing 1st floor windows. However, on balance it is officer opinion that the degree of overlooking is acceptable when taking into account that one of No.1's the windows is non-habitable and the other is a secondary kitchen window.

9.14 The impact on the privacy of No.1's second floor bedroom window would be mitigated through the use of obscure glazing within the facing second floor window within the development. This window relates to an open plan living/dining area which has 4no. further windows in the front elevation.

9.15 Properties on Middle Street are located 17.7m from the closest part of the L-shaped development and 22.4m from the inset part of the rear elevation. This compares to a distance of approximately 22m from the existing library building. There are habitable windows in both the existing dwellings and the rear elevation of the proposed development. It is officer opinion that the separation distance provided is sufficient to prevent any significant loss of privacy when taking into account that the distance is in keeping with established separation distances in the area. The impact on light and outlook is also considered to be acceptable when taking into account the separation distance and the established layout of the street.

9.16 The impact of impact of noise from the proposed library on existing residents is considered to be acceptable when taking into account the location of the site within Tynemouth District Centre and the nature of the proposed commercial use.

9.17 Impact on future occupiers –

9.18 The development includes 1no. 1-bedroom, 2no. 2-bedroom and 3no. 3-bedroom apartments. The floor areas of all the properties meet the Government's Nationally Described Space Standard (NDSS). A ground floor apartment is proposed at the rear of the building with windows which face north

towards the rear courtyard and parking area. The apartment would be provided with a small private courtyard to give separation from the communal areas. While outlook and light from this apartment would be limited it is considered that an acceptable standard of accommodation would be provided.

9.19 All other apartments have front facing living/dining/kitchen windows and bedrooms with either side or rear facing windows. They would be accessed via a communal access in the rear of the building which leads to stairs and a lift.

9.20 There is no external amenity space within the proposed development, but the site is very well placed in terms of access to public open space, including Northumberland Park, Tynemouth Park and the coast.

9.21 A Noise Impact Assessment has been submitted as part of the application to consider the potential impact of road traffic and noise from the community hub and library on future residents. The Manager of Environmental Health has been consulted and provided comments. She states that an appropriate glazing and ventilation scheme is proposed to protect residents from external noise. With regards to internal noise transmission, she advises that the proposed sound mitigation scheme is acceptable subject to there being no amplified music or voices within the library and community hub and recommends that a condition is imposed to control this. Further conditions are recommended in respect of external plant, construction hours, to control the hours of opening of the library, refuse storage and external lighting.

9.22 Members need to determine whether the proposed development is acceptable in terms of its impact on existing residents and whether acceptable living conditions would be provided for future occupiers. It is officer advice that the impact on existing and future residents, in terms of noise, light, outlook and privacy is acceptable, and that the proposed development accords with the NPPF and LP Policies DM5.19 and DM6.1.

10.0 Impact on Character and Appearance

10.1 The Local Planning Authority must have regard to its statutory duty to ensure the preservation and enhancement of the character and appearance of conservation areas, as outlined in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It must also have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under section 66 of the same Act.

10.2 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.

10.3 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).

10.4 Par.199 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.5 Para.200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

10.6 NPPF para.201 states that where a proposed development will lead to substantial harm to (or total loss of significance) of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

10.7 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para.202).

10.8 NPPF para.206 states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

10.9 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.

10.10 Policy S6.5 states that the Council aims to pro-actively preserve, promote and enhance its heritage assets.

10.11 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. As appropriate, development will:

- a. Conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character;
- b. Repair damaged features or reinstate missing features and architectural detailing that contribute to the heritage asset's significance;

- c. Conserve and enhance the spaces between and around buildings including gardens, boundaries, driveways and footpaths;
- d. Remove additions or modifications that are considered harmful to the significance of the heritage asset;
- e. Ensure that additions to heritage assets and within its setting do not harm the significance of the heritage asset;
- f. Demonstrate how heritage assets at risk (national or local) will be brought into repair and, where vacant, re-use, and include phasing information to ensure that works are commenced in a timely manner to ensure there is a halt to the decline;
- g. Be prepared in line with the information set out in the relevant piece(s) of evidence and guidance prepared by North Tyneside Council;
- h. Be accompanied by a heritage statement that informs proposals through understanding the asset, fully assessing the proposed affects of the development and influencing proposals accordingly.

Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

10.12 Relevant sections of the Design Quality SPD include:

4.2 “The appearance and materials chosen for a scheme should create a place with a locally inspired or otherwise distinctive character. Identifying whether there are any architectural features or specific materials that give a place a distinctive sense of character should be a starting point for design.”

4.3 “The scale, mass and form of new buildings are some of the most important factors in producing good design and ensuring development integrates into its setting.”

5.3 “North Tyneside’s historic environment creates a sense of place, well-being and cultural identity for the borough.....New buildings clearly need to meet current needs and reflect the availability of modern materials and techniques while also respecting established forms and materials that contribute towards the character of an area. As with all development, understanding significance of the place is crucial.”

5.3 “Development within the curtilage of heritage assets must have full regard to the following:

- a) The heritage asset should be retained as the visually prominent building.*
- b) The special architectural and visual qualities of the area or asset and their setting.*
- c) The pattern of existing development and routes through and around it.*
- d) Important views.*
- e) The scale, design, detail and character of neighbouring buildings.*
- f) Any potential impacts of the proposed development on heritage assets and their setting.”*

10.13 The Tynemouth Village Conservation Area Character Appraisal was adopted in 2010 and is an update of the community-led character statement that was adopted in 2003. The Tynemouth Conservation Area Character Statement states “Consideration should be given to improving the council-owned site of the empty newsagent’s shop next to the public library”.

10.14 The Tynemouth Village Conservation Area Management Strategy SPD (TVCAMS) was adopted in 2014. The SPD states that all alterations, extensions or new developments in the Conservation Area should have the highest respect for the existing character of Tynemouth Village. They should be in proportion to surrounding buildings and spaces in terms of size and scale and use high quality materials. The SPD states that the design of new development, whether it be a small extension or a whole new building, will generally be supported if it represents good quality traditional-style design or good quality modern design. It notes that the ongoing vacancy of 35 Front Street, the single storey building next to the library, harms the vibrancy of an otherwise bustling street and raises uncertainty about its continued maintenance. It is described as an eyesore that is badly in need of a long term, sustainable solution.

10.15 The application site lies within Tynemouth Conservation Area. The buildings are not listed but are covered by the Tynemouth Article 4 Direction. They are located close to listed buildings on Front Street.

10.16 When assessing the impact on heritage assets there are two issues to be considered, firstly the principle of demolishing the existing building and secondly whether the development proposed is acceptable in terms of its design and impact on the conservation area.

10.17 The application is supported by a Heritage Assessment and structural surveys. The Heritage Assessment discusses the significance of the heritage asset in terms of its historic, aesthetic and communal value and looks at what impact the proposed development would have on this significance.

10.18 Historic map evidence contained within the Heritage Assessment shows that there was a building on the site from 1826. The original building was much larger than the current building and had frontages onto both Front Street and Silver Street. The part of the building at 35 Front Street was later demolished.

10.19 In terms of its architectural interest the Heritage Assessment notes that the original parts of the building are of an attractive appearance and are constructed in brick with a rough texture and mottled appearance which have attractively weathered. The brick is laid out in English Bond, which is the oldest form of brick bonding. Down pipes and gutters are non-original and the roof, while natural slate, is unlikely to be original due to the extensions, demolitions and alterations that have been made to the original building. The windows are single glazed with wooden frames but are not original. The current building is approximately half the size of the original and the side elevation was added at a later date when No.35 was demolished. At the rear are single and two storey extensions dating from the 1930’s. The original ground floor shop window has also been lost and replaced by modern windows, and render has been added to the ground floor.

Internally the building retains little of its original layout and few original features. It is in a very poor condition with problems of water ingress, damp, a collapsed staircase ceiling and cracked walls.

10.20 In summary of the building's significance the Heritage Assessment states that the building lacks significant architectural features required to be listed but remains of local interest and has some historic and architectural merit. It advises that the use of the building as a hotel has historic interest in the context of Tynemouth as a Victorian holiday destination while the use of the building as a library has some communal historic interest. It also notes that there is archaeological interest in the site and the potential for roman and medieval findings in addition to the potential for buried remains associated with the Priory Cemetery. The front of the building is described as making a positive contribution to the character and appearance of the conservation area and the adjoining shop a neutral contribution. To the rear of the site the alterations and demolitions to the original building mean there is little or no architectural or heritage significance.

10.21 The proposal would result in the demolition of all the existing buildings on the site. The TVCAMS notes that the ongoing vacancy of 35 Front Street harms the vibrancy of an otherwise bustling street. The flat roofed single storey building is of no architectural quality and it is considered that its demolition and sensitive redevelopment could enhance the character of the conservation area. Likewise, the rear extensions at No.36 have no architectural or historic interest and it is not considered that the demolition of these structures would harm the character of the conservation area.

The submitted Heritage Assessment notes that the demolition of No.36 would result in some harm to heritage assets due to the loss of an historic building with historic, aesthetic and communal value.

10.22 In respect of the consideration of harm Planning Practice Guidance (Par:018 Reference ID: 18a-018-20190723) states:
"Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

10.23 The applicant has assessed the level of harm as less than substantial due to the changes that the building has already experienced. When taking into account that there are few parts of the original building remaining it is officer opinion that the demolition of the Front Street elevation of the building would result in less than substantial harm to the character of the conservation area and no harm to the setting of nearby listed buildings due to the separation distance and lack of direct relationship.

10.24 NPPF states that where a development results in less than substantial harm this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. LP Policy DM6.6 states that any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

10.25 Planning Practice Guidance advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

10.26 As the development would result in harm to the conservation area Members must consider whether this harm is outweighed by any public benefits of the proposal, whether the development is necessary to achieve these benefits and if the benefits could be met in another way.

10.27 The public benefits of the proposal are set out below:

- Provision of enhanced library services and a flexible space available for other community uses.

The partnership between Newcastle Building Society and the Council would allow the facilities to open six days a week compared to two days a week previously and add a banking facility to Tynemouth. The new community hub would include portable bookcases which would allow the space to be easily opened up and be used for community events such as meetings, exhibitions and reading groups.

- Tourist information

The library would include a year-round tourist information facility. It is proposed to include information boards within the building to detail the history of the site.

- Access to library resources

The library would provide a range of educational resources, a work/study space and free internet access.

- Improved accessibility with a Changing Places toilet

Changing Places are fully accessible toilets designed to meet the needs of people with learning or physical disabilities. There are no other changing places facility available in Tynemouth.

- Provision of 6no. new homes, which would contribute towards meeting the shortfall in housing land supply.

- Demolition of flat roofed retail unit, substation and rear extensions which detract from the conservation area.

10.28 The applicant has also advised that the CCTV equipment which is located within the existing building would be reinstated within the new development to offer a security benefit to the local businesses, residents and visitors.

10.29 A development which retains and refurbishes the existing building would still deliver the benefits set out above. However, options for the site have been reviewed as part of a detailed options appraisal, and this concluded that for each option, the cost of modernisation and adaptation was prohibitive. This is largely a result of the extensive structural works required.

10.30 The Options Appraisal has been submitted as part of the application. It looks at eight options for re-developing the site, including a wholly residential development, residential development with fewer apartments, mixed commercial and residential development, retaining and converting the building and retaining the front facade.

10.31 The option of refurbishing the existing building was discounted. The cost to refurbish the building was high and the project would make a significant loss. This option did not allow the aims of the project to be met as the library would not be able to contain the Changing Places WC and provide the community space that was identified as important during the public consultation process.

10.32 Retention of the front facade and demolition of the rest of the building was also discounted. This option was assessed as being extremely risky due to the lack of foundations to the existing building, the cost of underpinning the existing foundations and dealing with the associated party wall. This option would also mean that the levels of the building would not allow the required head within the residential accommodation that was required to make the scheme financially viable.

10.33 The potential for delivering a library service elsewhere in Tynemouth has also been considered. The applicant has stated that there are no other suitable buildings within Tynemouth that could accommodate a library.

10.34 The Options Appraisal concludes that demolition and rebuild was the only option that met the community goals of providing a new library, introducing a Changing Places WC facility and being financially viable.

10.35 The application is also supported by Structural Reports which identifies the need for significant structural and foundation strengthening work in order to maintain the structural integrity of the building in its new form. The reports advise that it may be possible to modify the existing structure to accommodate the proposals, but this is likely to be an expensive option in both the short term construction costs and the long term maintenance costs.

10.36 It is officer opinion that the information submitted demonstrates that the benefits of the development could not be delivered in a less harmful way.

10.37 Turning to the design of the proposed development and the impact this would have on the conservation area's character.

10.38 The proposed development has been designed to reflect the size and shape of the original building, with frontages onto both Silver Street and Front Street. It follows the established building line, and the height is in keeping with the existing building. The main building has a pitched roof and includes traditional dormer windows which are a common feature on Front Street. At the rear of the building a flat roofed 3-storey element is proposed. The applicant has advised that this is required to allow lift access to be provided to the 3rd floor apartment. The flat roofed design of this part of the development is not in keeping with the pitched roofed design of the original building or the surrounding properties, and it is officer opinion that it does have some negative impact on the overall appearance of the development. However, it is noted that this part of the building would only be visible from Middle Street and is screened from side views by the pitched roof of the development and the adjacent offshoot of Timothy Duff Court. When taking into account the limited impact on the character of the conservation area it is considered that the inclusion of a flat roofed element in this location is acceptable.

10.39 Windows would be timber double glazed sash and the bricks would be laid out in English Bond, to match the original building. The roof would be covered in natural slate with conservation style rooflights and the rainwater goods would be metal. It is proposed to enclose the front curtilage with metal railings to reflect the railings which would have originally been associated with the building and that enclose the front curtilages of other properties on Front Street. The frontage of the library is traditional in design and in keeping with other shop fronts within Tynemouth.

10.40 It is officer opinion that the development is sympathetically designed and would sit comfortably in the street scene.

10.41 Historic England have provided comments and consider that the development would result in less than substantial harm to heritage assets. They acknowledge the viability issues attached to retaining the building and raise no objections to the application.

10.42 The Tyne and Wear Archaeologist has also provided comments. She recommends conditions requiring that the groundworks are overseen by an archaeologist and that the building is recorded prior to demolition.

10.43 The development would result in harm to a heritage asset and therefore there is a strong policy presumption against the development. However, given the clear financial viability issues of developing the site and the public benefits of the proposal, it is officer opinion that the public benefits outweigh the less than substantial harm to the conservation area. It is officer opinion that the development complies with the NPPF, Policies DM6.1 and DM6.6 of the North Tyneside Local Plan, The TVCAMS SPD and the Design Quality SPD.

11.0 Biodiversity

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 S5.4 states that the Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance.

11.5 Policy DM5.5 of the Local Plan states that all development proposals should:

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

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

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

11.6 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.

11.7 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 The site is occupied by existing buildings and hard surfacing and does not contain any trees or landscaping. A Bat Risk Assessment has been submitted in support of the application. This states that the main library building is considered to be of low suitability for use by roosting bats, and the substation and retail unit of negligible suitability. No evidence of roosting bats was recorded. The potential impacts of the development were assessed as the loss of a small number of potential crevice roost sites and the low residual risk of disturbance or harm to a small number of bats that may be using the buildings at the time of proposed works. To mitigate these impacts the report recommends sensitive external lighting and that works are carried out to a precautionary bat method statement.

11.9 A Report to Inform a Habitat Regulations Appropriate Assessment has also been submitted. The report considers the potential direct effect of the proposals on the Northumbria Coast SPA and Durham Coast SAC sites and qualifying features through mechanisms such as habitat loss and construction disturbance, and the potential indirect effects of the development such as increased recreational activity.

11.10 Given the nature and small scale of the proposed development and distance to the SPA and SAC no adverse effects through pathways such as pollution incidents, dust emission or degradation of air or water quality are anticipated.

11.11 The development lies within 6km of the coast and therefore has the potential to impact on the Northumbria Coast SPA/Ramsar site through additional visitor disturbance. To mitigate this impact, in accordance with the Coastal Mitigation SPD, the developer has agreed to contribute towards coastal mitigation. A condition is recommended to secure this.

11.12 The Biodiversity Officer has been consulted and provided comments. She raises no objections subject to conditions and a contribution towards the Coastal Mitigation Service.

11.13 Members need to consider whether the impact on protected species and habitats would be acceptable and weight this in their decision. It is officer advice that the impact is acceptable subject to a contribution towards the Coastal Mitigation scheme. It is considered that the proposal accords with the NPPF and LP policies S5.4, DM5.5 and DM5.6 and the Coastal Mitigation SPD.

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.

12.3 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 It is proposed to provide 5no. parking spaces which would be accessed directly from Middle Street. A secure cycle store with 2no. spaces per apartment is also proposed. The library would be provided with an integral bin storage area while the apartments have a separate bin store, accessed from the rear parking area.

12.7 The level of parking proposed does not accord with the Transport and Highways SPD.

12.8 The Highway Network Manager has been consulted and provided comments. He considers that the reduced parking provision is acceptable in this case when taking into account the location of the site within Tynemouth centre where there are good links to public transport and parking restrictions in place.

12.9 NPPF is clear that 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.

12.10 In this case it is officer opinion that the development would not have a severe impact on the highway network or highway safety when taking into account the highly sustainable location of the site.

12.11 Having regard to the above, 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 The Contaminated Land Officer has been consulted and provided comments. She advises that the substation it may contain polychlorinated biphenyls (PCB's), which are highly toxic and carcinogenic, and that the main building may contain asbestos. She recommends that conditions are imposed to address the potential contamination.

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 Local Financial Considerations

13.7 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).

13.8 The proposal involves the creation of 6no. new dwellings. Granting planning permission for new dwellings increases the amount of New Homes Bonus, which the Council will potentially receive. The New Homes Bonus is a government grant for each home built equivalent in value to the average Band D Council Tax charge in England in the preceding year. New Homes Bonus is paid to the Authority each year for new homes completed for a period of four years from the completion of each new home. An additional sum is paid for each empty home brought back in to use and for each affordable home delivered.

13.9 In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period. The library will also create jobs when operational.

13.10 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 into 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 Council does not have a 5-year housing land supply. The proposed development of 6no. homes would make a small but valuable contribution to the current shortfall. This is a significant benefit that weighs in favour of the appeal proposal.

14.4 It is officer advice that the proposal would ensure sufficient separation distances to neighbouring properties and would not have an adverse impact on the amenity of existing residents. The standard of accommodation provided for future occupiers is also considered to be acceptable.

14.5 It is officer opinion that the proposal would result in less than substantial harm to the character of the conservation area due to the loss of the existing building but the public benefits of the development outweigh this harm. The design and layout of the development are considered to be acceptable.

14.6 It is considered that the level of parking proposed is acceptable when taking into account the highly sustainable location of the site. The development would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe.

14.7 The impact on ecology is also considered to be acceptable subject to a contribution towards the Coastal Mitigation Scheme.

14.8 The Council does not have a 5-year supply of deliverable housing sites. It therefore follows that planning permission should be granted unless the impacts of the development significantly and demonstrably outweigh the benefits. In the opinion of officer's, the impacts of the development would not significantly and demonstrably outweigh the benefits. It is therefore recommended that planning permission should be granted subject to conditions.

RECOMMENDATION: Application Permitted

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 NTC-TL-21-001
 - Proposed site plan NTC-TL-21-002
 - Proposed site plan and floor plans NTC-TL-21-024
 - Proposed east elevation NTC-TL-21-013
 - Proposed front elevation (south) NTC-TL-21-011
 - Proposed rear elevation(north) NTC-TL-21-010
 - Proposed west elevation NTC-TL-21-012 Rev.A

- Proposed elevations NTC-TL-21-025
- Proposed ground floor plan NTC-TL-21-005
- Proposed first floor plan NTC-TL-21-006
- Proposed second floor plan NTC-TL-21-007
- Proposed third floor plan NTC-TL-21-008
- Proposed roof plan NTC-TL-21-009

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

2. Standard Time Limit 3 Years FUL MAN02 *

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

- Provision of new access
- Provision of signalised crossing
- Upgrade of footpaths abutting the site
- Associated highway drainage
- Associated street lighting
- Associated road markings
- Associated signage
- Associated Traffic Regulation Orders

The approved scheme shall be implemented in accordance with the details agreed and retained thereafter.

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

4. The new means of access shall be laid out in accordance with the approved plans prior to occupation of the development and retained thereafter.

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

5. The scheme for parking shall be laid out in accordance with the approved plans prior to occupation of the development. It shall not be thereafter retained and not used for any other purpose.

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

6. The scheme for the provision of and storage of refuse, recycling and garden waste bins shall be laid out in accordance with the approved plans and prior to the occupation of the development. These storage areas shall be thereafter retained and shall not be used for any other purpose.

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

7. The scheme for the provision of cycle storage shall be laid out in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

8. 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

9. Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. 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.

10. Prior to occupation of the residential accommodation a scheme of sound insulation must be submitted to and approved in writing by the Local Planning Authority. The scheme must include an acoustic glazing scheme, sound insulation and ventilation scheme in accordance with noise report no. 8433.1 to address external road traffic noise arising from Front Street and noise arising from the ground floor community hub and library to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms and 35 dB LAeq for living rooms. The scheme shall be implemented in accordance with the agreed details prior to occupation of the development and thereafter retained.

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

11. The construction site subject of this approval shall not be operational and there shall be no construction, demolition, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

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

12. The library and community hub shall not be open outside the hours of 07:00 to 21:00 on Monday to Saturday and 09:00 to 18:00 on Sundays and Bank Holidays.

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

13. There shall be no deliveries or collections to the library and community outside the hours of 07:00 to 21:00 hours on Monday to Saturday and no deliveries on Sundays and Bank Holidays.

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

14. No live music in the form of bands, solo and duo artists and no amplified music in the form of discos, DJ's and karaoke or any recorded background music shall be played in the library and community hub at any time.

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

15. Prior to occupation of the development a noise scheme to assess noise from external plant and the substation must be submitted to and approved in writing by the Local Planning Authority. The scheme must ensure that the rating level from plant and equipment, as measured one metre from façade for the nearest residential dwelling, does not exceed the background noise level. The measurement shall be carried out in accordance with BS4142. The scheme shall be carried out in accordance with agreed details and thereafter retained.

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

16. 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: To protect the occupants of nearby residential properties from noise and disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

17. Within 1 month of the external plant and equipment being installed, acoustic testing must be undertaken to verify compliance with condition 16 and the results submitted to and agreed in writing by the Local Planning Authority.

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

18. Noise No Tannoys Externally Audible NOI002 *

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

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

High intensity security lights shall be avoided as far as practical and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

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

Reason: In the interest of visual amenity and to protect wildlife habitats; having regard to policies DM5.5, DM5.7 and DM5.19 of the North Tyneside Local Plan (2017).

20. Desk Study and Method Statement CON003 *

21. Site Investigation CON004 *

22. Remediation Method Statement CON005 *

23. Validation Report CON006 *

24. Unexpected Hotspots CON007 *

25. All demolition and building works must be undertaken in accordance with an approved Precautionary Bat Method Statement. Details of the Bat Method Statement must be submitted shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

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

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

27. 2no. integrated Vivara Pro Cambridge Brick Faced Swift Nest Box (or similar) shall be sited in a suitable location (ideally a north-east facing wall) at height of at least 5m under the eaves, with a clear flight path to the entrance. Details of the specification and locations of the bird features shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing and the boxes shall be installed in accordance with the approved plans.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

28. 2no. Built-In Bat Boxes shall be provided in suitable locations on the building. Details of the specification and locations of the bat features shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing and the boxes shall be installed in accordance with the approved plans.

Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

29. No demolition/development shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

30. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of

groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and if necessary, emergency salvage undertaken in accordance with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

31. The building(s) shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition 30 has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

32. Notwithstanding any indication of materials which may have been given in the application, no development shall take place above damp proof course level 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. This shall include details of the brick coursing and mortar detailing. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance and to ensure the character and appearance of the Tynemouth Conservation Area is conserved and enhanced; having regard to policy DM6.1 and DM6.6 of the North Tyneside Council Local Plan 2017.

33. Notwithstanding any indication of materials which may have been given in the application, no development shall take place above damp proof course level until details of the materials for the hard surface areas have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the agreed details.

Reason: To secure a satisfactory external appearance and to ensure the character and appearance of the Tynemouth Conservation Area is conserved and enhanced; having regard to policy DM6.1 and DM6.6 of the North Tyneside Council Local Plan 2017.

34. Prior to construction above damp proof course level large scale joinery details and the detailed design, colour and material specification for the windows, doors and library frontage must be submitted to and agreed in writing by the Local Planning Authority. All windows must be timber sliding sash. Thereafter the development must be carried out in accordance with the agreed details.

Reason: To secure a satisfactory external appearance and to ensure the character and appearance of the Tynemouth Conservation Area is conserved and enhanced; having regard to policy DM6.1 and DM6.6 of the North Tyneside Council Local Plan 2017.

35. Details of all screen and boundary walls, fences and any other means of enclosure must be submitted and approved in writing by the Local Planning

Authority prior to installation. Thereafter the development must be carried out in accordance with the agreed details.

Reason: To secure a satisfactory external appearance and to ensure the character and appearance of the Tynemouth Conservation Area is conserved and enhanced; having regard to policy DM6.1 and DM6.6 of the North Tyneside Council Local Plan 2017.

36. No construction above ground level shall commence until details of rainwater goods, which must be metal, have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the rainwater goods shall be implemented in accordance with the approved details.

Reason: To secure a satisfactory external appearance and to ensure the character and appearance of the Tynemouth Conservation Area is conserved and enhanced; having regard to policy DM6.1 and DM6.6 of the North Tyneside Council Local Plan 2017.

37. Notwithstanding Condition 1, the proposed dwellings must comply with the housing standards set out under Policy DM4.9 of the North Tyneside Local Plan (2017).

Reason: To ensure appropriate living conditions for future occupiers are provided in accordance with Policy DM4.9 of the North Tyneside Local Plan (2017).

38. Prior to the first occupation of any of the hereby approved dwellings, a scheme to address the impacts of the hereby approved development on the Northumberland Coast SPA shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in full accordance with the North Tyneside Coastal Mitigation Supplementary Planning Document July 2019.

Reason: In the interest of ecology and biodiversity having regard to policies DM5.5, DM5.6 and DM5.7 of the North Tyneside Local Plan 2017 and the North Tyneside Coastal Mitigation Supplementary Planning Document July 2019.

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)

Do Not Obstruct Highway Build Materials (I13)

The applicant is advised that a license must be obtained from the Highways Authority before any works are carried out on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

Highway Inspection before dvlpt (I46)

Contact ERH Erect Scaffolding on Rd (I12)

Street Naming and numbering (I45)

No Doors Gates to Project Over Highways (I10)

The applicant is advised that end users will not be eligible for any parking permits in this area and the onus will be on the developer to convey this information to these users. Contact Parking.control@northtyneside.gov.uk for further information.



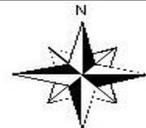
Application reference: 21/02519/FUL

Location: Tynemouth Library, 36 Front Street, Tynemouth, Tyne And Wear
Proposal: Demolition of existing buildings. Redevelop the site to provide a community facility with Library services, ICT, Tourist Information, flexible spaces for community use, financial Services and a Changing Places Bathroom. Residential accommodation to provide 6no flats to be accessed from Middle Street via stairs and a lift, including parking. Substation to be rebuilt to suit modern requirements.

Not to scale

Date: 15.09.2022

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**Appendix 1 – 21/02519/FUL
Item 1**

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is for the demolition of the existing buildings, redevelopment of the site to provide a community facility with library services, ICT, tourist information, flexible spaces for community use, financial services and a changing places bathroom, residential accommodation to provide 6 flats to be accessed from Middle Street via stairs and a lift with parking, the substation is to be rebuilt to suit modern requirements.

1.3 The site is in Tynemouth village with good links to public transport and there are parking restrictions in the vicinity of the site so a reduced parking provision is considered to be acceptable in this instance. Two cycle storage spaces will also be provided for each apartment. The developer should be aware that end users will not be eligible for parking permits in this area and the onus will be on the developer to convey this information to these users. Conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 The applicant will be required to enter into an appropriate legal agreement with the Local Authority for the following works:

Provision of new access
Upgrade of footpaths abutting the site
Associated highway drainage
Associated street lighting
Associated road markings
Associated signage
Associated Traffic Regulation Orders

1.6 Conditions:

Notwithstanding the details submitted, no part of the development shall be occupied until a scheme for the following highway works has been submitted to and approved by in writing the Local Planning Authority:

Provision of new access
Provision of signalised crossing
Upgrade of footpaths abutting the site
Associated highway drainage
Associated street lighting
Associated road markings
Associated signage
Associated Traffic Regulation Orders

The approved scheme shall be implemented in accordance with the details agreed and retained thereafter.

Reason: In the interests of highway safety

Notwithstanding the details submitted, no part of the development shall be occupied until the new means of access has been laid out in accordance with the approved details and retained thereafter.

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

Notwithstanding the details submitted, no part of the development shall be occupied until the scheme for parking has been laid out in accordance with the approved details and retained thereafter.

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

Notwithstanding the details submitted, no part of the development shall be occupied until the scheme for the provision of and storage of refuse has been laid out in accordance with the approved plans and retained thereafter.

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

Notwithstanding the details submitted, no part of the development shall be occupied until the scheme for undercover cycle parking provision has been laid out in accordance with the approved plans and retained thereafter.

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

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.

Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. 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.

1.7 Informatives:

The applicant is advised that a license must be obtained from the Highways Authority before any works are carried out on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to pedestrians and drivers, and are a source of danger to children, elderly people and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that they should contact Highway Maintenance to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact Highways@northtyneside.gov.uk for further information

The applicant is advised that a license must be obtained from the Highways Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

The applicant is advised that requests for Street Naming & Numbering must be submitted and approved by the Local Highway Authority. Any complications, confusion or subsequent costs that arise due to non-adherence of this criteria will be directed to applicant. Until a Street Naming and Numbering & scheme been applied for and approved by the Local Highway Authority it will not be officially registered with either the council, Royal Mail, emergency services etc. Contact Streetworks@northtyneside.gov.uk for further information.

The applicant is advised that no part of the gates or garage doors may project over the highway at any time. Contact New.Developments@northtyneside.gov.uk for further information.

The applicant is advised that end users will not be eligible for any parking permits in this area and the onus will be on the developer to convey this information to these users. Contact Parking.control@northtyneside.gov.uk for further information.

1.8 Manager of Environmental Health (Pollution)

1.9 The development site is located an area which is of mixed use within the conservation area of Tynemouth.

1.10 I have viewed the noise report which has considered the potential impact of road traffic noise on the proposed new residential apartments and potential noise from the community hub and library. The noise report included for unattended noise monitoring over a 24 hour period. The noise monitoring was carried out at 2 locations P1 to assess noise to the front façade adjacent to Front Street and P2 to assess noise to the rear of the site. Daytime noise levels were 60 dB LAeq and 50 dB LAeq for P1 and P2, and night-time were in the region of 50 and 40 dB LAeq. An appropriate glazing and ventilation scheme has been recommended and a condition is recommended for the apartments to ensure the noise scheme is provided.

1.11 The noise report has considered internal noise transmission from the community hub and library and the first-floor apartments and recommended a level of sound insulation between the ground and first floor of 50 dB DnT,w + Ctr or greater. This is based on an assumption that there will be no amplified music or voices within the community hub. A condition is recommended to ensure the sound mitigation scheme detailed within the noise report is implemented so that the internal noise levels within the apartments comply with the WHO community noise guidance of 30 dB LAeq and maximum noise level of 45dB for bedrooms at night and 35 dB LAeq for living rooms during the day is achieved. A condition will also be required to restrict on the playing of live and amplified music within the community hub and library.

1.12 Other conditions recommended include for a noise scheme to address new external plant and equipment, equipment and plant for the electricity sub-station, operating hours, deliveries and collections to the site, and any external lighting.

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

Residential Apartments:

Prior to occupation of the residential accommodation, hereby permitted, the residential apartments shall not be occupied until a scheme of sound insulation works has been submitted to and approved in writing by the Local Planning Authority and installed and thereafter retained that includes for an acoustic glazing scheme, ventilation scheme and sound insulation scheme in accordance to noise report no. 8433.1 to address external road traffic noise arising from Front Street and associated noise arising from the ground floor community hub and

library to show that all habitable rooms are provided with sound attenuation measures to give a resultant noise level of below 30 dB LAeq and maximum noise level of 45dB for bedrooms and 35 dB LAeq for living rooms is achieved.

HOU04
HOU05
SIT03

Community Hub and Library:

HOU03 07:00 and 21:00 hours Monday to Saturday and 09:00 to 18:00 hours on Sundays and Bank Holidays.

Deliveries and collections for the community hub and library should take place between the times of 07:00 and 21:00 hours; Monday to Saturday and none permitted on Sundays and Bank Holidays.

Reason: To protect the amenity of residential premises against noise.

Non-standard condition: Entertainment Restrictions

No live music in the form of bands, solo and duo artists and no amplified music in the form of discos, DJ's and karaoke or any recorded background music to be permitted to be played at the premises at any time.

External Plant and Equipment and Electricity Sub-Station

A noise scheme must be submitted to the planning authority for written approval and implemented prior to development to ensure the rating level from plant and equipment, as measured one metre from facade for the nearest residential dwelling, does not exceed the background noise level. The measurement shall be carried out in accordance with BS4142.

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

NOI04 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.

NOI02
LIG01
REF01
REF02

1.14 Manager of Environmental Health (Contaminated Land)

1.15 This application is for the demolition of existing buildings. Redevelop the site to provide a community facility with Library services, ICT, Tourist Information.

1.16 Part of the development is to replace the existing substation with a smaller substation. Depending on the age the current substation it may contain polychlorinated biphenyls (PCB's), which are highly toxic and carcinogenic.

1.17 The building is of an age where it may contain asbestos. An asbestos survey must be carried out prior to demolition and any findings acted upon.

1.18 Due to the proposed sensitive end use which includes a ground floor flat the following must be attached to the application:

Con 003

Con 004

Con 005

Con 006

Con 007

1.19 Biodiversity Officer

1.20 Existing Site: The site is located at 35-36 Front Street and occupies a prominent location in the centre of Tynemouth Village. The site currently consists of three buildings which can be categorised as:

- 36 Front Street - 3 storey former library building with a mix of one and two storey extensions to the rear;
- 35 Front Street - the adjacent single storey vacant shop unit and;
- The electricity substation situated to the rear of the site on Middle Street.

1.21 None of the buildings on site are listed or locally listed. The site is located within the Tynemouth Village Conservation Area. The site lies within the Impact Risk Zones (IRZs) for several nearby Sites of Special Scientific Interest (SSSI) and also lies close to Natura 2000 sites.

1.22 Proposal: The proposal comprises a new Library and Commercial space at ground floor level, along with six residential apartments. The application includes details of associated car parking, cycle storage and refuse storage.

1.23 Bat Survey: A Bat Risk Assessment was undertaken by E3 Ecology Ltd on 23rd March 2020 and comprised a detailed inspection of the structures on site. The site is situated in a densely urbanised area with very limited potential foraging habitats or connectivity within the surrounding landscape. Overall, the habitats present in the local area were assessed as negligible suitability for use by foraging/commuting bats.

1.24 The main library building was well sealed with occasional areas of damaged slates on the northern roof pitch. Despite the presence of potential roost features, the poor quality of the surrounding habitat for foraging bats and the absence of connective features to suitable foraging habitat indicates that the building is unlikely to support roosting bats. The remaining two buildings are single storey and constructed of brick with flat felt roofs. These structures were well sealed. Overall, the main library building was considered to be of low suitability for use by roosting bats and the remaining two buildings were considered to be of negligible suitability for use by roosting bats.

1.25 Thorough internal and external inspection of the main library building recorded no evidence of roosting bats. The sub-station and annex were inspected externally only, as access was not available at the time of survey,

however, they have flat roofs therefore this was not considered a significant constraint. No evidence of the presence of roosting bats was recorded.

1.26 The potential impacts of the development were assessed as the following:

- The loss of a small number of potential crevice roost sites considered unlikely to support roosting bats due to negligible suitability of the setting.
- Low residual risk of disturbance or harm to a small number of bats that may be using the buildings at the time of proposed works.

1.27 In order to mitigate the impact of the scheme, the following recommendations are proposed:

- Sensitive external lighting, where external lighting forms part of the proposals.
- Works to a precautionary bat method statement

1.28 Report to Inform an Appropriate Assessment: A Report to Inform a Habitat Regulations (2017 as amended) Appropriate Assessment for the proposed development at Tynemouth Library has been submitted, assessing the potential effects on the National Site network (formerly known as Natura 2000 sites) within the local area.

1.29 The Appropriate Assessment is in relation to the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Durham Coast Special Area of Conservation (SAC). The closest section of the SPA lies approximately 340m to the east of the site. The closest section of the SAC (Trow Point in South Shields) lies approximately 2.9km to the south-east, separated by the River Tyne and urban development.

1.30 This report considers two elements of the proposals: the potential direct effect of the proposals on the SPA and SAC sites and qualifying features through mechanisms such as habitat loss and construction disturbance, and the potential indirect effects of the development such as increased recreational activity.

1.31 The site is comprised entirely of built development. Proposals will not result in the loss of any land from within the SPA and no direct impacts on the SPA habitats are considered likely. Given the nature and small scale of the proposed development and distance to the SPA, no adverse effects through pathways such as pollution incidents, dust emission or degradation of air or water quality are anticipated. Ground investigation has not yet been completed but it has been assumed that extensive pile driving will not be required.

1.32 The proposed development site does not support the qualifying feature of the Durham Coast SAC, namely vegetated sea cliffs. No adverse effects on the SAC are anticipated during the construction phase due to the distance to this protected area (2.9km).

1.33 Given the proposed location of the site, no significant increase in recreational pressure on the SAC is anticipated from the library, but the proposals incorporate an element of residential development that could lead to indirect recreational pressure on the SPA and a contribution to the Coastal Mitigation Service will be required.

1.34 Conclusion: Subject to an appropriate financial contribution being secured for the residential element of the scheme (in accordance with the Coastal Mitigation SPD) and the following conditions being attached to the application, there are no objections to the scheme

1.35 Conditions:

- All demolition and building works will be undertaken in accordance with an approved Precautionary Bat Method Statement. Details of the Bat Method Statement shall be submitted to the LPA for approval prior to development commencing on site.
- High intensity security lights will be avoided as far as practical. Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects
- No vegetation removal or building works shall take place during the bird nesting season (March- August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.
- 2no. integrated Vivara Pro Cambridge Brick Faced Swift Nest Box (or similar) shall be sited in a suitable location (ideally a north-east facing wall) at height of at least 5m under the eaves, with a clear flight path to the entrance. Details of the specification and locations of the bird features shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and shall be installed in accordance with the approved plans.
- 2no. Built-In Bat Boxes shall be provided in suitable locations on the building. Details of the specification and locations of the bat features shall be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and shall be installed in accordance with the approved plans

2.0 External Consultees

2.1 Coal Authority

2.2 No requirement to consult.

2.3 Historic England

2.4 Summary

2.5 No 36 Front Street was originally one of a number of 18th century houses within the Tynemouth Village Conservation Area, where it forms the immediate setting of the scheduled Priory and Castle. Alterations and losses to the building have weakened its historic character but its survival and enhancement potential makes some contribution to the significance of the conservation area.

2.6 Its demolition would be a loss to the conservation area but we note the difficulty of retaining the building, in full or part, for the intended use of the site for a library. This is primarily for the reasons of financial viability. We also note that the replacement building reflects the simple ordered facades of 18th century buildings within the conservation area.

2.7 A balanced judgement needs to be made in line with para.202 of the National Planning Policy Framework (NPPF), which asks that harm to heritage

significance is weighed against the public benefits of a proposal. This is a decision for you, as a local planning authority and the intention of this letter is to inform that decision.

2.8 Historic England Advice

2.9 Historic England's statutory remit for this application is the impact upon the setting of the scheduled remains of Tynemouth Priory and Castle. This setting is tied to the special character and appearance of the Tynemouth Village Conservation Area and so, this response concentrates on how the proposal impacts upon that conservation area.

2.10 Significance

2.11 The Tynemouth Village Conservation Area encapsulates the growth of Tynemouth from the Priory and its village in the medieval period to a Victorian and Edwardian seaside resort and commuter town. Front Street is the original centre of the settlement and is remarkable for retaining aspects of its village character through the survival of a number of 18th century houses.

2.12 No 36 Front Street is part of that phase. Probably originally a house it was adapted to a temperance hotel, then shops and apartments and then a library. The two western bays were demolished in the 1930's and the replacement single storey shop unit is of no historic or architectural interest.

2.13 In its much altered form its historic character is much less than the listed buildings of a similar age opposite on Front Street but it is still a survival of this early phase of Tynemouth and so is of historic interest. Its restoration and re-use would add much to the character and appearance of Front Street compared to its currently vacant, dilapidated appearance. Considering the historic interest of the building and the potential for enhancement, No36 Front Street makes a positive contribution to the significance of the Tynemouth Village Conservation Area.

2.14 Impact

2.15 The proposal is to demolish both nos.35 and 36 and to build a new library with apartments above, housed in a building with a front that is similar to the scale and likely design of the original building.

2.16 The design of the new reflects the order, proportion and simplicity of detail of the listed buildings opposite and is a successful historical based approach to design in this conservation area. Still, it would remove what remains of the historic building and this is a loss to the significance of the conservation area.

2.17 Policy and Position

2.18 Para.207 of the NPPF asks that when considering the loss of a positive element of a conservation area, the contribution it makes to the significance of the conservation area as a whole should be taken into account. In this instance the contribution is limited by the building's much altered condition and the resulting harm would be less than substantial in degree.

2.19 Para. 200 asks that all harm to designated heritage assets, such as conservation areas, requires a clear and convincing justification and para.202

asks that harm to this degree should be weighed against the public benefits of the proposal.

2.20 This weighing of harm against public benefit is a decision for the local planning authority, who are best placed to judge the local need for a library and the housing provided above it. However, in making that decision it is pertinent to consider ways in which the same benefits could be provided by retaining the existing building and so avoid the harm caused by its loss.

2.21 The information provided in the application puts forward the argument that it is not financially viable to convert the existing building to a modern library. This is because the funding of the library is reliant on the income provided by the apartments and the existing footprint does not provide sufficient space. To this can be added costs of moving a substation, underpinning and, repairs and upgrading measures common with this age of building. We understand this conclusion has been independently reviewed and agreed with.

2.22 Another option would be to retain the brick work of the front facade which would preserve just a semblance of original character. The submission argues that this is not desirable due to the poor condition of this facade and that the upper windows in relation to the new floor plate would not be compliant with building regulations. Solutions might be found to work around these issues but it must be noted that the limited heritage benefit of doing would probably not justify the additional cost.

2.23 In conclusion we consider that the loss of the existing building would cause a less than substantial degree of harm to the significance of the conservation area. We note the difficulty of retaining in full or part the existing building for the proposed library use due to reasons of financial viability. Consequently, we consider that a decision could and should be made in line with para.202 of the NPPF which asks that the harm to heritage significance is weighed against the public benefit of a proposal. We consider that this decision needs to be taken by you as the local planning authority, noting the advice provided in this letter.

2.24 Should you be minded to grant consent the materials and details of the replacement building will be crucial to respecting the special architectural character of the conservation area. We recommend that the choice of brick work and their bonding appearance, the way string course and window surround details are formed and the design of the shop front are all conditioned.

2.25 Recommendation

2.26 Historic England has no objection to the application on heritage grounds.

2.27 Tyne and Wear County Archaeology Officer

2.28 Tynemouth Library is of 18th century construction and should be considered a non-designated heritage asset (NPPF para 203). It merits historic building recording (Historic England, Understanding Historic Buildings: A Guide to Good Recording Practice (2016)) prior to the proposed demolition taking place (NPPF para 205). Existing architects' drawings may be used as a basis for the survey, for which I can provide a specification. The work must be carried out by a suitably

qualified archaeologist or historic buildings expert. The buildings must be cleared of any detritus prior to the recording taking place.

2.29 The site lies within Tynemouth medieval village (HER 137), and there have been a number of stray finds such as coins of Roman and medieval date in the vicinity. In addition there is an early medieval cemetery under Front Street (HER 130) with finds of human remains being made from the mid 19th century onwards. In 2005 an archaeological watching brief during the refurbishment of water mains on the south side of Front Street recovered human remains from trenches 26 and 27, outside Nos. 55 and 56 Front Street (Event 2489, report 2005/33). For this reason it is essential that archaeological monitoring is carried out during all groundworks and excavations for the project.

2.30 The archaeological works can be secured by the following conditions:

Archaeological Building Recording Condition

No demolition/development shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

Archaeological Watching Brief Condition

No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

Archaeological Watching Brief Report Condition

The building(s) shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition () has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 205 of the NPPF, Local Plan S6.5 and policies DM6.6 and DM6.7.

3.0 Representations

3.1 32no. objections have been received. These are summarised below.

- Affect character of conservation area.
- Affect setting of listed building.
- Inappropriate materials.
- Inappropriate design.
- Loss of visual amenity.
- Loss of residential amenity.
- Out of keeping with surroundings.
- Precedent will be set.
- Will result in visual intrusion.
- Impact on landscape.
- Inadequate parking provision.
- Poor traffic/pedestrian safety.
- Poor/unsuitable vehicular access.
- None compliance with approved policy.
- Not in accordance with development plan.
- Nuisance – disturbance.
- Strongly disagree with the destruction of another piece of Front Street architectural heritage.
- Consideration should be given to retaining the brick frontage.
- The outside of the building should be kept to be in keeping with the current historical look of the conservation area.
- Upgrading the inside whilst keeping the outside of the building would be the best option.
- The Heritage Assessment states that the building makes a positive contribution to the character and appearance of Front Street and its loss will lead to some harm.
- Front Street deserves to have its remaining buildings retained.
- The building in question was erected during the reign of George I and has remained standing since.
- The building is an intrinsic part of the history of Tynemouth.
- The building is a vital part of the streetscene.
- Loss of 300 year old bricks.
- Old buildings will outlive new developments.
- The village is gradually losing all its historical look with unnecessary new buildings.
- Financially driven.
- One rule for some and a different for others.
- Affect on the local area.
- Agree that something needs to be done to improve the building's state but not by demolition.
 - No fund raising or grants have been investigated/considered to allow the building to be retained.
 - The Council are to blame for the building's current state of disrepair.
 - A modern building will look out of place.
 - The architecture of the building contributed to the designation of the Conservation Area.
- The Heritage assessment fails to recognise that there are 2 sorts of brickwork.
- A proper search should be undertaken to find the original builder.

- If the building is destroyed the original bricks should be re-used and the building surveyed.
- Goes against Historic England's campaign to renew and recycle not demolish.
- The shell of the building must be retained to comply with the TCAMS guidance.
- The building has historic, aesthetic and communal value.
- The 'harm' will be substantial and cannot be justified.
- Inadequacies in the research and Heritage reports made about the building.
- Additional accommodation will exacerbate problems of traffic pollution, parking and waste collection.
- Disappointing that the library will not have full use of the premises.
- It should be offered as a community asset and restored to public use.
- It should not become a source of funds for the local council.
- Until recently the building was a regular meeting place for The Art Society and The Photographic Society, both being forced to move elsewhere.
- If the building was not council-owned the proposal would not be considered.
- Not in accordance with the policies of COP26.
- The proposed design has too few books.
- Public toilets in the building are very welcome.
- Lack of public consultation with residents and transparency.
- The application should be heard by the planning committee.
- Impact of insufficient parking on already congested streets.
- Occupiers could own two cars.

3.2 5no. comments of support have been received. These are summarised below.

- Imaginative scheme.
- The Council deserves full credit for its support of our libraries.
- The scheme restores the branch library, vastly improves the community facilities, removes an eyesore and restores a full height frontage in keeping with its surroundings.
- Libraries are important for people of all ages.
- The building is in a very poor state of repair.
- The library had inadequate heating, very poor staff facilities and a damp problem.
- The single-storey unit never seems to have provided a viable business and is an eyesore.
- In keeping with the adjacent sheltered housing.
- Will provide a better street frontage and bring more life and mixed use to Front Street.
- Not everyone can travel easily to North Shields or Whitley Bay and the mobile library is a poor substitute.
- The property is unsafe and rat infested.
- There will be many unwarranted objections, but do they actually live in the vicinity.
- Inadequate parking provision.

3.3 1no. neutral comments has been received. This is summarised below.

- Building guidelines have not been created to consider the mental impact of design features on users of the building.

- I would like to share my detailed knowledge, with the designers of the proposed building, about the needs of people who sit at the high end of the sensitivity continuum.