

## ADDENDUM

(19.04.2018)

### Item No: 1

**Application No:** 18/00239/FUL  
**Date valid:** 21 February 2018  
**Target decision date:** 13 June 2018

**Author:** Julia Dawson  
**☎:** 0191 643 6314  
**Ward:** St Marys

Application type: full planning application

**Location: Visitors Centre St Marys Island St Marys Island Access Road Whitley Bay Tyne And Wear NE26 4RS**

**Proposal: Refurbishment of lighthouse and visitor centre including internal re-planning of visitor centre, partial demolition of visitor centre entrance and construction of single storey extension in its place, single storey extension to visitor centre east elevation, construction of ancillary external storage and plant rooms and renewal of causeway. (Resubmission) AMENDED CAUSEWAY DRAWINGS - Please see Rev.D Causeway Replacement - Conceptual Arrangement and Rev.D Causeway Replacement - Sections and accompanying email (uploaded 19.03.2018)**

**Applicant:** North Tyneside Council, Mr Chris Bishop Quadrant The Silverlink North Cobalt Business Park North Tyneside NE27 0BY

**Agent:** Beaumont Brown Architects LLP, Mr David Brown The Old Brewery Castle Eden TS27 4SU

**RECOMMENDATION:** Application Permitted

### INFORMATION

#### Additional Internal Consultee Response Environmental Health (Pollution):

I note that the proposed viewing platforms no longer form part of this resubmission. I have viewed the noise assessment for the proposed construction works for the causeway included within the Environmental Statement. The assessment is based on construction guidance and determined that the noise impacts arising from the construction works on The Cottage will give rise to minor adverse impact. I note that the applicant indicates that the construction times will be influenced by the tidal times, but I would recommend standard construction hours are applied.

HOU04 (construction hours) and HOU05 (demolition hours)

Where any workings are necessary outside of the recommend hours of construction then a noise scheme should be provided to address mitigation measures to be applied resulting from longer working hours to enable works to be carried out within the available tidal window, with no working permitted on Sundays and Bank Holidays except for reasons of emergency/public safety. A notification of such incidents must be made in writing within 24 hours of event.

For all new plant and equipment installed at the site a noise scheme will be required to

ensure no increase in background noise levels.

#### New External Plant

No new plant or equipment to be installed at the premises unless a noise scheme has been submitted in accordance with BS4142 to determine the background noise level without the plant noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment does not exceed the background noise by more than 3 dB.

Planning Officer Comment: The EH Officer has confirmed that proposed condition no.11 adequately deals with the issues raised above and there is no need for additional conditions (HOU04, HOU05 and the suggested noise scheme). However, it is proposed that the suggested condition regarding new external plant is attached to the planning approval as follows:

#### Condition No.27:

If any new plant/equipment/refrigeration/extraction/air ventilation system is to be installed at the application site in connection with approved development a noise scheme must first be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with BS4142 and must determine the current background noise levels for daytime, evening and night at the boundary of the nearest residential property and identify appropriate mitigation measures, where necessary, to ensure the rating level of external plant and equipment does not exceed the background noise. Thereafter the plant must be installed and maintained in accordance with the approved details.

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

#### Additional Representations

Two additional representations have been received from the occupiers of a single address in Newcastle, these are summarised below:

- Glad to see the roof top terraces have been removed from this application.
- Concerns that the increase in footfall will see an increase in disturbance to wildlife habitats. As no management plan or remedy (beyond signs) to deal with any detrimental impact associated with this is in place the likelihood of a significant impact cannot be ruled out. More must be done to deter any increase in undesirable interaction between visitors and the islands wildlife.
- Not enough detail provided to show who, why and how a stretch of only 5m of the causeway to remain at its present level, was decided upon. What will happen if 5m proves inadequate to deter visitors from crossing? It would seem prudent to make the stretch less tempting to cross over when covered in water by extending the low point to the full 30m.
- Placing boulders at any point through the stretch aimed to deter people from crossing when the causeway is flooded would simply be providing stepping stones thereby increasing access times. I understand the rationale of the habitat creation bouldering, but it is unclear as to whether they are to remain out of the breakout stretch.
- Disappointed that the integrity of this iconic lighthouse is to be compromised simply to provide additional retail space. While there may be justification for the southern elevation new build (between the lighthouse and former keepers cottage) to increase educational facilities, there is none for the eastern elevation shop extension. It is a shame that the design does not limit the development to within the existing buildings.

Applicant's Response to Outstanding Queries from St Marys Island Seal Watch (SMSW) and the RSPB

SMSW

*"1. The 5m stretch to remain at the present level be increased to the entire 30m stretch of the causeway that floods first to ensure no extended access to the island."*

The proposal is to break out the middle 30m of the causeway, enabling a new slab to be laid at the existing causeway level, for the central 5m with a slope to the proposed causeway levels at either end. Therefore the central 5m section and some or all of the slopes up to the overlaid sections will be flooded for the same amount of time, and at the same times during the tidal cycle, as existing. As such the island will be cut off for the same period of time twice per day.

In order to replace the 30m stretch at the present level, a further section of the causeway at either end of the 30m stretch would need to be broken out to allow slopes to form up to the proposed causeway levels at either end. There is a limited time period during which the noisiest works, such as breaking out the causeway, can be undertaken. Construction hours for such noisy activity are not permitted during the overwintering bird season (September – March for this site) due to the potential for Likely Significant Effects under the Habitat Regulations, and may also be restricted in August by the Ecological Clerk of Works due to the known presence of overwintering species (turnstone, sanderling and terns) recorded in these months.

Construction during the peak seal-haul out season in May also needs to avoid noisy works; works outwith this month could also be restricted by the Ecological Clerk of Works should seals haul-out earlier or later than in previous years and therefore be susceptible to noise disturbance. The contractor's programme must also pay due regard to residents living on the island, further restricting the working day, and of course the construction timetable for the causeway is subject to tidal restrictions as causeway break-out and replacement can only be undertaken when the tide is out.

Given all of the above, in order to ensure that the causeway break-out and replacement can be successfully completed in the least environmentally sensitive time periods within one construction year, it is not proposed to break out any more than the 30m section shown on the submitted drawings.

*"2. Habitat creation boulders remain outside of the entire breakout section."*

An Intertidal Habitat Creation Plan has been developed in consultation with the relevant statutory authorities (Environment Agency and Natural England) which sets out proposals for the creation of intertidal habitat adjacent to the causeway (ES Appendix 11.4), to address the direct habitat loss. The Intertidal Habitat Creation Plan sets the guidelines for habitat creation on site and, as set out in the ES, the final locations for placement of rocks will be dictated by an Ecological Clerk of Works to ensure the habitat creation is fine-tuned to local conditions. This is considered to be the most appropriate approach to offset the impacts on intertidal habitat from the upgrades to the causeway.

RSPB

*“Our concern remains over what remedial action will take place should visitor numbers increase. Our suggestion for volunteer wardening (in conjunction with the existing coastal wardens) remains and is strongly recommended. The Conservation of Habitats and Species Regulations requires a precautionary principle to be employed when assessing impacts. Currently, we do not consider that without proposed remedial action that Likely Significant Effect can be ruled out.”*

The Appropriate Authority for determining whether any Likely Significant Effect will arise under the Habitat Regulations is North Tyneside Council’s Biodiversity Officer. They responded to the consultation on the 09 April 2018 confirming that the proposal would be acceptable subject to planning conditions to secure the mitigation measures proposed in the ES.

It is therefore considered that the appropriate principles of assessment have been applied and, in assessing the development, it has been found to be acceptable by the Appropriate Authority.