

**Item No:** 5.2  
**Application No:** 16/00995/FUL Author: Julia Crebbin  
Date valid: 13 June 2016 ☎: 0191 643 6314  
Target decision date: 8 August 2016 Ward: Whitley Bay

Application type: full planning application

**Location: Mission Hall, Coquet Avenue, Whitley Bay, Tyne And Wear, NE26 1EE**

**Proposal: Change of use and alterations to former church hall to form swimming pool and cafe. Provide mild steel gates and railings to existing front and side boundaries**

Applicant: Mr Marc Dining, Mission Hall Coquet Avenue Whitley Bay Tyne And Wear NE26 1EE

Agent: Mr Paul Anderson, 1 Belford Terrace East The Cedars Sunderland Tyne And Wear SR2 7TH

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

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

#### 1.0 Description of the Site

1.1 The site to which the application relates is a vacant church hall located on Coquet Avenue in Whitley Bay. It is understood that the church hall has been vacant since January 2015. It is a flat roofed building with a small paved concrete front curtilage enclosed by low level brick boundary walls. Immediately adjacent to the application site to the south west is No.2 Coquet Avenue, a two storey semi detached dwelling. Opposite to the site, and along the rest of Coquet Avenue to the west, are residential dwellings. St. Edwards Catholic Church is located south east at the corner of Coquet Avenue and Park Road.

1.2 To the rear of the application site is a single storey double garage (2B Coquet Avenue), which is accessed via a small road from Marine Gardens to the north west. Immediately adjacent to the application site to the east is the site of the former Coquet Park and Marine Park First Schools. This land is now vacant and

grassed. Further to the east, on the opposite side of Park Road, is Whitley Bay Park and associated car park. Further to the north, on the corner of Marine Gardens and Park Road is Whitley Bay Playhouse and associated car park.

1.3 The application site is located within the designated town centre of Whitley Bay.

## 2.0 Description of the Proposed Development

2.1 The proposal relates to the change of use of the former church hall (Use Class D1) to a swimming pool (Use Class D2), and ancillary cafe. The proposal also includes internal alterations to form the swimming pool and external alterations including the bricking up of some existing windows and doors, the introduction of covered canopies to the front and rear elevations, and the installation of steel gates and railings to the existing front and side boundaries.

## 3.0 Relevant Planning History

3.1 None

## 4.0 Development Plan

4.1 North Tyneside Council Unitary Development Plan (adopted March 2002)

4.2 Direction from Secretary of State under Paragraph 1(3) of Schedule 8 to Town and Country Planning and Compulsory Purchase Act 2004 in respect of Policies in the North Tyneside UDP (August 2007)

## 5.0 Government Policy

5.1 National Planning Policy Framework (March 2012)

5.2 National Planning Practice Guidance (As Amended)

5.3 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**

### 6.0 Main Issues

- Principle of the proposed change of use;
- The impact on neighbouring amenity;
- The impact of the proposal upon the character and appearance of the surrounding area
- Whether sufficient parking and access would be provided.

## 7.0 Material Planning Considerations

### 7.1 Principle of the Proposed Development

7.2 The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity.

7.3 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Significant weight should be placed on the need to support economic growth through the planning system.

7.4 The NPPF states that local planning authorities amongst other matters should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. It also states that local planning authorities should promote competitive town centres that provide customer choice, and should support existing business sectors.

7.5 Policy S3 identifies the town centre of Whitley Bay as the main focus for retail provision and associated facilities.

7.6 Policy LE2 support proposals for the development of tourist and leisure facilities provided they are acceptable in terms of their impact on the natural and built environment and on surrounding land uses.

7.7 There has been a significant level of objection submitted in respect of the proposed development. The content of the objections are noted. In terms of the principle of proposed change of use to a swimming pool at this location, many of the objectors consider this to be inappropriate due to the residential nature of the area, with particular reference to Coquet Avenue itself. Many objectors have also questioned the need for an additional swimming pool/leisure use in this area given that there are existing pools at Whitley Bay Leisure Centre, Tynemouth and Deep Blue. Some local residents consider that a pool is not a community use and the building should be used for the local community, or that residential development would be a more suitable use for this site.

7.8 The applicant has advised that he considers it is important to maintain the building as a commodity for the community and not to demolish it to make way for residential development. He has advised that when he bought the building, the Church agreed with this approach and sold it to him on the basis that he would give something back to the community. He has advised that the proposal is not for a communal pool, but is intended to provide swimming lessons on an appointment based system to pre-school and primary school aged children by a fully qualified 'Puddle Ducks' instructor. The applicant considers this to be an appropriate use of the site, which is close to coast with a huge family community.

He considers that in this environment, it is important to provide increased opportunity for children to learn to swim, and that this is the best use of the site.

7.9 The application site is a vacant church hall, within the designated town centre of Whitely Bay, albeit it is on a residential street. The previous use was not residential in nature, and would have resulted in more activity at the site than one would expect at a normal domestic property. The proposed swimming pool, with ancillary cafe, would introduce an alternative commercial use at these existing non-residential premises. For the purposes of this application, the applicant is not required to demonstrate a need for the proposed swimming pool, nor is he required to demonstrate that it will be a viable business. Trade competition with existing leisure uses/swimming pools in the Whitley Bay area is not a material planning consideration.

7.10 A D2 use is classed as a 'main town centre use' (Annex 2 – Glossary – Main Town Centre Uses, NPPF). Therefore, this town centre location is an appropriate location for such a use. In addition, the proposal would ensure that the application site is brought back into active use, rather than remaining empty.

7.11 It is Officer opinion that the development represents sustainable economic growth in accordance with the NPPF, and will improve the vitality and viability of the application site and the wider area. The impact on the amenity of neighbouring occupiers and the highway will be addressed in the following sections. In summary, the principle of the proposed change of use is considered to be acceptable.

7.12 Members need to determine whether the principle of the change of use of the vacant church hall into a swimming pool, with ancillary cafe is acceptable. It is Officer advice that, in planning policy terms, the proposal is in accordance with the provisions of the NPPF and local planning policies S3 and LE2. It would bring a vacant unit back into active use helping to secure economic growth and contributing towards the vitality and vibrancy of the town centre and the local community.

### 8.0 Impact on Residential Amenity

8.1 NPPF paragraph 123 states 'Planning policies should aim to: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise new development, including through conditions; and recognise that development will often create some noise'.

8.2 Local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control

of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

8.3 Policy E3 seeks to minimise the impact of pollution on the environment, including existing land uses, and on proposed development and will support and encourage measures including the monitoring of pollution to reduce existing pollution to the lowest practicable levels.

8.4 Policy H13 states that applications for non-residential development within or adjacent to residential areas will be approved where the Local Planning Authority consider that they would not adversely affect residential amenity. Uses that generate excessive noise, smell, fumes, traffic, or on street parking problems will not be allowed.

8.5 Objections have been raised on the grounds that the proposed use will result in noise and disturbance for nearby residents, particularly from plant and equipment, increased activity at the site particularly during the later evening, deliveries, and odours. These concerns are noted. The Council's Environmental Health Officer has also raised concerns with regard to noise arising from new plant and equipment, customer noise and odours.

8.6 In response to the concerns raised, the applicant has provided additional supporting information as follows:

- There are a maximum of 8 children per class. Puddle Ducks will deliver 12 hours of tuition per week. This will be spread out as 2 hours on a Saturday and 2 hours on a Sunday. The remaining 8 hours are spread out across the remaining weekdays.
- The proposed cafe is ancillary to the swimming pool and is for pool customers only whether they be spectators and or the children under instruction. People will not be allowed to walk in off the street and use the cafe facilities.
- The cafe is the spectator/viewing area and consists of 4 x rounded tables with 4 seats each. There may be some additional bench style seating too. Since the class size is restricted to 8 children it would be unusual for more than one parent/guardian to bring the child to their swimming lesson and spectate. In terms of pre school children the parent/guardian will actually be in the pool with the child and therefore no spectators.
- The cafe will serve hot and cold drinks and a range of pre packaged snacks. There will be no food preparation or cooking on the premises. In view of this there will be no food odour and the only extraction that will be required is a Domestic type extractor which will be located at the side of the building facing a grassed field.

- The pump room will be located at the rear of the building (the rear of the building has a 5 foot garden space and backs onto a rear lane and 2 x garages) and is the furthest point from the nearest dwelling. The room itself is to be soundproofed and the architect has advised that due to the small size of the pool the corresponding small pump has a very low decibel level and cannot be heard from any dwelling (pump equipment has evolved specifically with a low decibel level in mind as many homeowners now have indoor pools).
- The changing rooms are individual cubicles negating any concerns around male and female facilities.

8.7 The Environmental Health Officer, and a local resident, have noted that no background noise assessment (in accordance with BS41242) has been submitted in respect of potential noise from external plant and customer use of the site. In order to ensure that this is adequately controlled in terms of protecting nearby residents, a condition is suggested to ensure that the assessment is undertaken and submitted for approval prior to the operation of any such equipment.

8.8 The concerns relating to the impact on the residential amenity of nearby residents, including Coquet Avenue and Marine Gardens, are noted. The applicant has not advised that they will be serving or cooking any foods on the premises, as such there will be no impact from cooking smells, and this element of the operation of the proposed ancillary cafe will be controlled via planning condition. The Environmental Health Officer has also requested conditions to address odours (chlorine management), construction hours, external lighting and opening hours. It is considered that the suggested conditions will mitigate for any potential impact from noise, odours and disturbance. The attachment of conditions to control such matters is in accordance with advice contained in paragraph 123 of the NPPF.

8.9 Given the proposed way in which the swimming pool will be operated, with a class based appointment only system with approximately 8 children per class, it is not considered that this will result in such an increase in activity at the application site (compared to the last use which was completely uncontrolled by planning conditions), that it will result in a significant adverse impact on the residential amenity of the occupants of surrounding properties that refusal of the application could be justified on these grounds.

8.10 Members must determine whether the proposal is acceptable in terms of its impact on the residential amenity of surrounding occupiers. The proposal is considered to accord with the NPPF, and policies H13 and E3, subject to the suggested conditions.

## 9.0 Impact on Character and Appearance

9.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

9.2 LDD11 Design Quality provides guidance on layout and design for both new buildings and extensions to existing properties. This states that the context of the site itself, through to its immediate surroundings and to the wider local area should be taken into account in formulation of a design concept. In addition LDD11 provides that the scale, mass and form of a building are the most important factors in producing good design and ensuring development integrates into its setting in the wider environment.

9.3 The proposed alterations to the external elevations of the building are relatively minor in nature, consisting of the blocking up of a number of windows and a door, and the installation of canopies to the front and rear of the premises. It is not considered that the proposed alterations will have any significant adverse impact on the character of the host site or the visual amenity of the surrounding streetscene.

9.4 The proposal also includes the installation of railings to the top of the existing boundary wall. Objections have been received which state that this element of the proposal is out of keeping with the streetscene, in particular the front boundary treatments of neighbouring residential properties. These concerns are noted. However, the application site itself is located at the end of the row of residential properties, adjacent to an expanse of open space. It is clearly not residential in nature and therefore already appears different to the properties on this street. The proposed railings will help to delineate the site and to provide a secure curtilage. They are open in nature and will not result in such a harmful impact on the visual amenity of the streetscene that refusal is warranted on these grounds. A condition is recommended to ensure that the railings are appropriately colour treated within a month of their installation.

9.5 In summary, Members must determine whether the proposed external alterations are acceptable in terms of their impact on the visual amenity of the site and the character and appearance area. Officer advice is that the proposed development is acceptable in this regard in accordance with advice provided in the NPPF and LDD11.

## 10.0 Car Parking and Access

10.1 The NPPF states that Transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives. The NPPF also states that development should only be



prevented or refused on transport grounds where residual cumulative impacts of development are severe.

10.2 Supplementary Planning Document, LDD12 Transport and Highways, sets out the Council's adopted car parking standards.

10.3 Policy T11 states that parking requirements will in general be kept to the operational maximum.

10.4 Development Control Policy Statement (DCPS) 4 'Car and Cycle Parking Standards' has been devised to minimise the impact on the private car by encouraging the greater use of public transport and cycling. This will be achieved by, amongst other matters, adopting a reduced requirement for car parking.

10.5 There have been a number of objections on highways grounds and the content of these is noted. The applicant has advised that it is anticipated that the majority of customers will be from the Marine Park First School (with 520 pupils) and that in view of this the majority of customers will in reality arrive and depart on foot. However, notwithstanding this he has also stated that there is on street metered parking, parking spaces outside of the church, a car park at the former Whitley Bay library, parking outside of Marine Park First School, a car park at the Playhouse, and numerous free parking spaces on Park View which have a one hour time limit, which is ample time for a person having a half hour swimming lesson.

10.6 However, the Highway Network Manager has raised no objection to the proposed use, noting that whilst the site has no parking and none is proposed, the pool will not be open to the general public and will operate on an appointment only basis with swimming lessons given in small groups or on an individual basis. In addition, he has noted the location within Whitley Bay town centre where it has good links to both public transport and local services, along with parking control measures in nearby streets as well as the availability of off street parking in the vicinity of the site. He has also requested that a condition be attached to control the appointment based system.

10.7 Objectors have made significant reference to existing parking problems within both Coquet Avenue and the surrounding residential streets. However, each application must be judged on its individual merits and the applicant cannot be expected to solve existing problems. In this case the Highway Network Manager is satisfied that the surrounding area can accommodate the impact of the proposed use and this is in accordance with the NPPF, which states that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.



10.8 Members must determine whether the proposed use is acceptable in terms of its impact on existing on street parking provision and the highway. Officer advice is that the proposed use is in accordance with advice provided in the NPPF, LDD12 and local planning policies T11 and DCPS No.4.

#### 11.0 Other Matters

11.1 Paragraphs 120-121 of the NPPF state that policies and decisions should ensure that new development is appropriate for its location in order to prevent unacceptable risks from pollution and land instability. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

11.2 Policy E8 of the UDP provides that future dereliction or contamination should be prevented by imposing restoration and aftercare conditions on appropriate development permissions.

11.3 The application site is located within a high risk Coal Authority referral area. The Coal Authority have advised that they have no objection to the proposed change of use of the site, subject to an informative being attached to the approval to ensure that the applicant is aware of their responsibilities with regard to developing in an area where there may have been previous coal mining activity.

11.4 The Council's Contaminated Land Officer originally requested further information regarding the design and build of the proposed swimming pool, including the relative depth of the swimming pool to the existing ground level, and further detail if soil is to be removed off site. In response the applicant has advised that the swimming pool itself is actually an above ground pool and is housed in a separate structure to the building (i.e. it is removable). However, in order to give the spectator the best viewing experience the pool area only will be sunk to a depth of 600mm which will produce the minimum amount of soil requiring a skip which will be placed at the rear of the building.

11.5 In response the Contaminated Land Officer has provided no objections to the proposed development, but has requested conditions to ensure that if any unexpected contamination or hotspots are encountered during construction works, the LPA is informed and any necessary investigate and remediation work is undertaken. In addition, a condition to ensure that any soil removed from the site is subject to Waste Acceptable Criteria testing is suggested.

11.6 Members must determine whether the proposal is acceptable in terms of land stability and contamination matters. Officer advice is that, subject to the suggested condition, the proposal is acceptable in this regard.

## 12.0 Conclusion

12.1 It is considered that the proposed change of use of the vacant church hall to a swimming pool with ancillary cafe, along with the proposed external alterations, is acceptable in terms of its impact on the host site, the amenity of neighbouring occupiers and parking in the area, subject to the recommended 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 01.06.2016
- Supporting Information provided via email dated 20.07.2017 at 13:04 from applicant (via Matthew Dinning)
- Site Location Plan (Scale 1:1250)
- Site Plan (Scale 1:200)
- Proposed Ground Floor Plan and Proposed Elevations (Plan Title.

Proposed Work: Change of Use)

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. | Restrict Use For Purposes Applied For | RES01 | *a swimming pool and ancillary cafe<br>*D2<br>*protect the residential amenity of surrounding occupants<br>*H13 and E3 |

4. The use hereby approved shall operate on an appointment only basis and shall not be open to the general public to attend without prior appointment at any time.

Reason: In the interests of highway safety in accordance with policy H13 of the North Tyneside Unitary Development Plan and LDD12.

5. The premises shall not be open for business outside of the hours of 09:00 to 21:00 Monday to Saturday, and 10:00 to 17:00 on Sundays or Bank Holidays.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

6. Deliveries shall not be made to the premises outside of the hours of 08:00 hours to 19:00 hours Monday to Saturday.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

7. Restrict Hours No Construction Sun BH HOU04 \*

8. There shall be no cooking of foods in any form or reheating of hot foods permitted at the premises at any time. Only cold food provisions and hot and cold beverages shall be served to customers at the premises.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 and H13 of the North Tyneside Unitary Development Plan 2002.

9. There shall be no deep fat frying or shallow frying of foods permitted at the premises at any time.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

10. There shall be 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 played at the premises at any time.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 and H13 of the North Tyneside Unitary Development Plan 2002.

11. Noise No Tannoys Externally Audible NOI02 \*

12. The steel railings shall be appropriately stained/colour treated within 1 month of their installation.

Reason: In order to protect the visual amenity of the streetscene in accordance with Policy H13 of the North Tyneside Unitary Development Plan 2002.

13. Prior to the installation of any external lights full details of the location and design must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to protect the residential amenity of nearby occupants in accordance with Policy H13 of the North Tyneside Unitary Development Plan 2002.

14. Prior to the operation of the approved use facilities for the storage of refuse at the premises shall be installed within the premises. The facilities shall thereafter be permanently retained and used for this purpose.

Reason: In order to safeguard the amenities of the area having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

15. Prior to the installation of any plant or equipment full details, including height, position, design and materials, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

16. Prior to the installation of any plant or equipment a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The noise scheme must be in accordance with BS4142 and shall determine the current background noise levels for daytime, evening and night time. The rating level for all plant and equipment must not exceed the current background noise levels at nearest sensitive receptor.

Reason: In order to safeguard the amenities of adjoining properties having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

17. All plant and machinery shall be enclosed with sound insulation materials in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority in writing. The scheme shall include details of the noise levels expected to be created by the combined use of plant and equipment in order to ensure compliance with the noise rating level. The sound insulation scheme shall be installed prior to the operation of the plant and machinery and retained thereafter.

Reason: To protect the occupants of nearby residential properties from noise and disturbance having regard to policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

18. Prior to the commencement of the approved use a chlorine management plan must be submitted to and approved in writing by the Local Planning Authority. This must consider the use and management of chlorine onsite, how it will be controlled, how odours from its use will be mitigated and detail the action taken if a release should occur. Thereafter, the approved use must operate in accordance with the agreed details.

Reason: In the interests of residential amenity in accordance with policy E3 of the North Tyneside Unitary Development Plan 2002.

19. In the event that any unexpected contamination or hotspots are encountered during development works, all work must be ceased immediately and full details of additional investigative and any required remediation works must be submitted to and approved in writing by the Local Planning Authority. Such details will include the assessment of any risk via chemical testing and analysis of the affected soils or waters. Thereafter, the development must be carried out in complete accordance with the approved details.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

20. Prior to the disposal of any soil, which is to be removed of the site, it must be tested against the Waste Acceptance Criteria at a suitably licensed facility. Thereafter, the soil must be disposed of in accordance with the criteria.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

21. Prior to the commencement of the approved use details of the air ventilation systems shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied in accordance with the approved details and permanently retained.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

**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 Paragraphs 186-187 of the National Planning Policy Framework.

## **Informatives**

Building Regulations Required (I03)

No Doors Gates to Project Over Highways (I10)

Contact ERH Erect Scaffolding on Rd (I12)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

Coal Mining Standing Advice (FUL,OUT) (I44)





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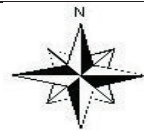
**Location: Mission Hall, Coquet Avenue, Whitley Bay, Tyne And Wear**

**Proposal: Change of use and alterations to former church hall to form swimming pool and cafe. Provide mild steel gates and railings to existing front and side boundaries**

Not to scale

Date: 21.07.2016

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## **Appendix 1 – 16/00995/FUL Item 2**

### **Consultations/representations**

#### 1.0 Ward Councillors

##### 1.1 Councillor John O'Shea (Whitley Bay)

1.2 I would be grateful if you could arrange for the above application to be considered by Planning Committee. There are serious local concerns about parking problems that this proposed development could exacerbate.

#### 1.3 Representations

22no. objections have been received, these are summarised as follows:

- This is a residential street, not a commercial zone, with insufficient parking for residents as it is. Proposed opening times will mean very little peace and quiet for local residents. Whitley bay all ready has a swimming pool and a pool at deep blue and more than enough cafes for a town this size.
- Proposal will exacerbate existing parking problems in this street.
- There is free parking at the Whitley bay playhouse and on the former library site but this is still not adequate; frequently making it difficult for residents to park.
- I disagree that it wouldn't generate more traffic than its use as a church. It was a church with a small congregation and didn't meet all day every day.
- There will be frequent deliveries for the business and commercial cafe, with no designated loading bay or dedicated parking facilities of its own this will add to an already congested street causing additional disturbance to residents and other road users.
- Unsuitable use for residential area.
- Previous use was as a church hall, not as a commercial enterprise and we were told the original intention was to provide a community facility, not a commercial one.
- This is an entirely inappropriate location for a public pool or private pool facility. I am extremely suspicious of the motivation for this planning application. A pool of this size (less than 15m long) in a small building, without parking cannot be a viable sport or leisure business.
- Concerned with regards to noise from plant and equipment installed at the site and from users of the proposed pool.
- Concerns regarding the proposed opening hours; we have small children and the additional noise created by this proposal compared to the noise levels created by its current purpose are alarming and wholly inappropriate as the businesses' opening hours extend well beyond our children's bedtime.
- Odours from kitchen extraction system and ventilation systems.
- This will cause privacy issues to adjacent homes with the congregation of users outside family homes.

- The owners haven't a clue - only 2 part time and 1 full time staff when at least 2 of them need to be on lifeguard duty for 12 hrs a day. They need at least 10 staff who will all need a parking space.
- They will need to excavate hundreds of tons of soil for foundations for a swimming pool and NWL may not agree to allow this quantity of water to be discharged into their drains which already suffer during flash-floods. Only one toilet and dangerous fire-exit and no disabled access ramp means this building cannot be for public use. - - The adjacent land is being developed for housing so there is no place for a public building sandwiched between existing housing and new housing which will eventually be built on the site of the old Coquet School. This property should be converted to residential which is what the area needs
- Application does not address the environmental issues around fumes and noise.
- No public notice has been displayed on the proposed site or nearby vicinity to alert members of the public to the intended change of use of this site/the planning application.
- The exterior railings are aesthetically inappropriate and out of sync with the whole look and feel of the 1920s street. Houses have brick boundary walls, mostly with the original coping details, with wooden or wrought iron gates. Security fencing is out of place in a residential area.
- No facilities for disabled at all including access and a safe fire exit. There is no room in Whitley Bay for a new business with no respect for disabled people and the fact that there will be inadequate staff will put patrons at risk.
- Proposal will not be in conjunction with the proposed plans of the council's regeneration programme. It will detract from what the residents already enjoy, a pleasant, at times already busy residential street.
- Proposal is contrary to policies H13 and LE2 of the UDP, and DM3.6 of the emerging local plan.

#### 1.4 Internal Consultees

#### 1.5 Highway Network Manager

1.6 This application is for a change of use & alterations to the former church hall to form a swimming pool & cafe and the provision of mild steel gates & railings to the existing front and side boundaries.

1.7 Whilst there is no parking associated with the site and none is proposed, the applicant has advised that the pool will not be open to the general public and will operate on an appointment only basis with swimming lessons given in small groups or on an individual basis.

1.8 Furthermore the site is located in Whitley Bay town centre with good links to public transport & local services and there are parking control measures in nearby streets as well as the availability of off-street car parking in the vicinity of

the site. For these reasons and on balance, conditional approval is recommended.

#### 1.9 Recommendation - Conditional Approval

#### 1.10 Conditions:

1.11 REF01 - Refuse Storage: Detail, Provide Before Occ

1.12 Notwithstanding the details submitted, no development shall commence until a customer appointment scheme has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety.

#### 1.13 Informatives:

I10 - No Doors/Gates to Project Over Highways

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dvlpt

#### 1.14 Contaminated Land Officer

1.15 We require further information regarding the design and build of the proposed swimming pool. This information should include details of the relative depth of the swimming pool to the existing ground level. Further details are required detailing if soil is to be removed off the site.

#### 1.16 Environmental Health (Pollution)

1.17 The premises are located in a residential area and the proposal will result in potential noise from the change of use to a swimming pool and cafe. I have concerns with regard to noise from plant and equipment installed as part of the development and from customer noise as the proposed change of use is significantly difference to its current use as a church hall.

1.18 No noise assessment has been provided to verify if the proposed change of use will not give rise to disturbance for nearby residential properties. The proposed change of use may lead to an intensification of use causing additional noise to the area which will be detrimental to the amenity for local residents.

1.19 Opening hours of the premises and deliveries and collections from the premises can be controlled via a condition to restrict these times.

1.20 I would also be concerned about odours arising from the proposed use of a cafe within the development and conditions to address cooking odours will be

necessary. No information has been provided on the type and intensity of cooking proposed, information that is necessary to assess the cafe element of the application includes details on cooking equipment, proposed type of cooking and location of any external flues. Further information is necessary to determine if the proposed cafe operation is adequate for this locality. With regard to the kitchen extraction system this should be based upon the DEFRA report "Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust Systems" . This information should be provided with the planning application to allow an assessment of odour and noise.

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

EPL01

EPL02

EPL03

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

1.22 A noise scheme must be submitted in accordance with BS4142 to determine the current background noise levels for the operating time of the plant. The rating level for all plant must not exceed the current background noise levels. It will be necessary for any flues to be acoustically mounted to the wall to prevent vibration noise.

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

1.24 Non-standard condition: Chlorine Management

A chlorine management plan must be submitted that considers the use and management of chlorine onsite, how it will be controlled, how odours from its use will be mitigated and action taken should a release occur.

1.25 Non-standard condition: Entertainment Restrictions

No live amplified 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.

1.26 Deliveries and collections shall be restricted to between 08:00 and 19:00 hours Monday to Saturdays only.

1.27 HOU03 to those on application; NOI02; LIG01 for any new external lighting; REF01 and REF02

1.28 External Consultees

1.29 The Coal Authority

1.30 When considering the nature of this particular development proposal, which is primarily for change of use of a building, we do not consider that the works required to facilitate this change are such they would present risks to the potential coal mining features. Therefore we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of development proposed in this particular case and do not object to this planning application.

1.31 In the interests of public safety, however, the Coal Authority would recommend that, should planning permission be granted for this proposal, an Informative Note is included within the Decision Notice.