

Cafe Needles Eye TLD

Mon 26/02/24 8:28 PM

To:Licensing01 <licensing01@northumberland.gov.uk>

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The proposed application for the performance of recorded music and amplified live music on Friday and Saturday.

Notice of Representation

Members of the public can submit representations in objection to or in support of the premises licence applications, within the 28 day consultation period.

Please be aware that for any objections to be considered relevant, they should be submitted before the end of the consultation period and they should address the four licensing objectives in relation to the licensing activity.

The licensing objectives are the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Please be aware that where representations are considered relevant copies of the representation will be provided to the applicant and the Licensing Sub Committee.

Please note: Objections will only be considered where a name and address are supplied.

Name: [redacted] Address: [redacted]
[redacted]

..... Licensing Objective:Noice and anti social
behaviour.....

Premises:Needles Eye Café
.....

Reason for Representation: Objection to Live and amplified music ,as a resident of Beach Terrace a quiet residential street and area of natural beauty. Also worried this would have a detrimental effect on nature and the wading birds

When the permission was originally passed I do not think there was any mention of the café being a licenced music venu, is this now going to be a bar/café?

(continue on separate sheet if necessary)

Introduction

An acoustic assessment has been undertaken to assess the potential noise impact on the existing noise sensitive receptors (NSRs) located on Beach Terrace by Northburn Acoustics. It should be noted that the report only briefly mentions the guidance used for the noise report and does not clarify the criteria used within this standard. For completeness, I have provided a brief summary of how the impact of the proposed noise source is assessed within BS 4142:2014+A1:2019.

Guidance

BS4142:2014+A1:2019 primarily provides a numerical method by which to determine the significance of an industrial, or commercial sound upon existing noise-sensitive receptors. The specific sound, the noise from the industrial source, may have character corrections applied for specific, readily identifiable characteristics such as, tonality, impulsivity, intermittency, and other readily identifiable characteristics. With regards to the rating correction, paragraph 9.2 of BS 4142:2014+A1:2019 states the following in regards to rating corrections :

Tonality

For sound ranging from not tonal to prominently tonal the Joint Nordic Method gives a correction of between 0 dB and +6 dB for tonality. Subjectively, this can be converted to a rating penalty of 2 dB for a tone which is just perceptible at the noise receptor, 4 dB where it is clearly perceptible, and 6 dB where it is highly perceptible.

Impulsivity

A correction of up to +9 dB can be applied for sound that is highly impulsive, considering both the rapidity of the change in sound level and the overall change in sound level. Subjectively, this can be converted to a penalty of 3 dB for impulsivity which is just perceptible at the noise receptor, 6 dB where it is clearly perceptible, and 9 dB where it is highly perceptible.

NOTE 2 If characteristics likely to affect perception and response are present in the specific sound, within the same reference period, then the applicable corrections ought normally to be added arithmetically. However, if any single feature is dominant to the exclusion of the others then it might be appropriate to apply a reduced or even zero correction for the minor characteristics.

Intermittency

When the specific sound has identifiable on/off conditions, the specific sound level should be representative of the time period of length equal to the reference time interval which contains the greatest total amount of on time. ... If the intermittency is readily distinctive against the residual acoustic environment, a penalty of 3 dB can be applied.

Other sound characteristics

Where the specific sound features characteristics that are neither tonal nor impulsive nor intermittent, though otherwise are readily distinctive against the residual acoustic environment, a penalty of 3 dB can be applied."

An initial estimate of the impact of the specific sound is obtained by subtracting the measured background sound level from the rating level of the specific sound. In the context of the Standard, adverse impacts include but are not limited to, annoyance and sleep disturbance. Section 11 of BS 4142:2014+A1:2019 offers the following guidance when discussing the magnitude of the impact.

"a) Typically, the greater this difference, the greater the magnitude of the impact.

b) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.

c) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on

the context.

d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context."

Survey

The noise report assesses specifically the kitchen extract system located approximately 22m from the closest NSRs. The report goes on to detail the subjective character of the environment stating that it is typical of a seaside town. After living on Beach Terrace all of my life I can confirm is a suitable assessment of the area, if lacking detail. The acoustic environment consists predominantly of dog walkers, bird song, and noise from the waves breaking on the shore. The NSRs have occasional road traffic noise from the local road network which only acts as an access road to the residential dwellings and does not see a significant amount of use, unlikely sufficient to raise the existing background sound level (L90) significantly. No industrial noise, or noise with a similar character to extract noise is audible at these locations.

Section 6 of Northburn noise report states the measurement location for the existing noise survey, it does not state if the measurement was undertaken at a sufficient distance from vertical reflecting surfaces such as walls, cars, or building facades as required in BS4142:2014+A1:2019. Section 6.2 of in BS4142:2014+A1:2019 states "*Where practical, minimize the influence of reflections by making the measurements at least 3.5 m from any reflecting surface other than the ground.*" This should have been possible at this location however has not been stated in the report.

Background Sound Level

Section 10 of this report details the background sound levels measures at Beach Terrace over two periods, between 16:33 and 17:03 on the 18th of April 2023, and 20:30 and 21:00 on the 3rd of May 2023. While I commend the survey for undertaking noise measurements during both high and low tided this survey is extremely limited and raises a few significant concerns.

The duration of the survey is not sufficient to identify representative background sound levels at these receptors. The surveyor has measured a total of a 1-hour period during the daytime per (07:00 to 23:00) this is not sufficient to identify a representative background $L_{A90,1hour}$ during the daytime period. In regard to identifying suitable measurement periods for background sound surveys BS4142:2014+A1:2019 states "*The monitoring duration should reflect the range of background sound levels for the period being assessed. In practice, there is no "single" background sound level as this is a fluctuating parameter. However, the background sound level used for the assessment should be representative of the period being assessed.*" Due to the short duration of the background sound survey no consideration to the diurnal patterns which can have a significant impact on the background sound level.

Secondly, the measurement undertaken on the 28th of April is a 30 minute measurement between 16:33 and 17:03. This period is likely to be the busiest period on the local road network due to residents coming home from work. As this data set makes up 50% of the measurements undertaken, this has likely resulted in an artificially high $L_{90,1hour}$.

Thirdly, no consideration has been given to the night-time period, it has been assumed the plant will not operate during the night-time period (23:00-07:00).

Finally, the arithmetic average has been used for the remainder of the assessment, this is likely to be a best-case scenario, especially given the measurement period chosen. It is best practice, as stated within BS 4142:2014+A1:2019 to undertake statistical analysis to determine a representative background sound level. This was likely difficult due to the small sample size measured during the noise survey.

I do not believe that this is sufficient to identify a representative background sound level during the daytime period.

Predictions

Section 11 of the report covers the specific sound level at the NSRs on Beach terrace. The report states that the manufacturer states a sound pressure level (SPL) at 1m of 66 dB(A). The report goes on to use a standard distance correction calculation to predict the noise impact at the receptors using the following calculation.

$$20\text{Log}(d/d_2)$$

Where:

d_1 = measured distance from source

d_2 = distance from Source to receptor

20 x Log has been chosen as the source is likely to be a point source.

Using this calculation, the specific sound level at the receptor would be 39dB LAeq at the receptors. This I do not dispute however I believe it is important to include the specific sound level as a value in the report, not just the difference when compared to the background sound level.

A -5dB correction have been applied to account for partial screening provided by the bank. This is likely to be the case during the daytime period when the impact is assessed to the ground floor, depending on the height of the unit which is not disclosed within the report. However, if the facility is likely to be open during the night-time period (23:00-07:00) this should be assessed to first floor bedroom windows, which are typically at a height of 4m and would not benefit from partial screening.

Section 12 of the report details the rating level used within the report. The report goes on to state that no corrections have been applied. I believe this to be false and not keeping with the guidance contained within BS 4142:2014+A1:2019, which requires a correction to be applied based on characteristics, as detailed earlier in this email. Due to the lack of other industrial or similar extraction type plant in the area the noise from this extract unit is likely to be readily identifiable therefore a correction of +3dB should be applied for other sound characteristics. In addition, no spectral data for the proposed unit has been provided. Extraction units have the potential to be tonal based upon the number of fan blades and revolutions per minute (RPM) of the unit. I believe this should be confirmed before the plant is fully operational.

Furthermore, BS 4142:2014+A1:2019 requires that the site is assessed based on context, this has not been provided within the report.

Given this assumption the plant is likely, to have a rating level of 37dB LAeq,t during the daytime period and 42 LAeq,t during the night-time period, neither of which match that detailed within the noise report. Given the lack of suitable background measurement data I am unable to complete the BS 4142:2014+A1:2019 assessment however, I would request that long-term measurements are undertaken to identify a representative background sound level.

Live sound

In addition, there has recently been a notice posted on lamp post along the promenade stating that amplified live and pre-recorded music will be played. For this, I would anticipate that a noise assessment is undertaken in accordance with the Institute of Acoustics (IOA) Good Practice guide on the Control of Noise from Pubs and Clubs. At the time of writing, I have been unable to find anything detailing an assessment or prediction of noise emission from the proposed operations.

Given past experience, live band and external loud speakers are typically a lot louder than extract units, and given the NSRs are raised above the proposed development will be significantly harder to mitigate, as acoustic barriers will not provide any attenuation due to the topography.

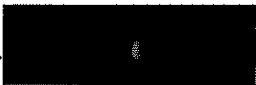
Using measurement data from a similar outdoor sound system playing background music from a similar application found on the North Tyneside planning portal (Ref: 23/00704/FUL), which states a sound power level of 102dB(A).

Using the same propagation assumptions as used previously would result in a specific sound level of 67 dB LAeq,t at first-floor windows and 62 dB LAeq,t at the ground floor of the existing properties. This would significantly exceed background sound levels and would cause a significant adverse impact. If this is to go ahead, I would expect mitigation measures to be implemented and regulated. Likely in the form of a noise limiter.

Conclusion

In conclusion, I do not believe the initial background sound survey is sufficient to identify a representative background sound level as the measurement was taken over a short period, 50 % of which was likely undertaken during the busiest period of the day. Further measurements should be undertaken to ensure a representative background sound level is identified taking into consideration the diurnal patterns during the daytime period.

No context assessment has been undertaken for the proposed development as required as part of BS 4142:2014+A1:2019 and no rating has been applied for a readily identifiable character which I believe is required. I would also highly recommend that a noise assessment is undertaken for the proposed live and pre-recorded sound system as it is highly likely to cause a significant adverse impact on the existing noise sensitive receptors on Beach Terrace.

Signed  Date26/02/24.....

From: Licensing01
Sent: 28 February 2024 08:59
To: [REDACTED]
Subject: Fw: Objection to application for Cafe Needles Eye Ltd. Beach Terrace, Newbiggin by -the-sea, Northumberland, NE64 6XE

Licensing Team
Business Compliance & Public Safety Unit
Public Protection Service
Northumberland County Council
West Hartford Fire Station & HQ
Fire Station West Hartford Business Park
Cramlington
NE23 3JP

E: licensing01@northumberland.gov.uk
[Public Protection Privacy Notice](#)

Licensing Hunt Group: 01670 620443

From: [REDACTED]
Sent: 27 February 2024 7:54 PM
To: Licensing01 <licensing01@northumberland.gov.uk>
Subject: Objection to application for Cafe Needles Eye Ltd. Beach Terrace, Newbiggin by -the-sea, Northumberland, NE64 6XE

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My husband and myself (i.e. 2 objections) object to this application on three counts

1. Off sales supply of alcohol will only contribute to the existing anti-social behaviour in the residential area of Beach Terrace.
2. Playing of music from an open fronted shipping container will be detrimental to the residents including ourselves who live in the immediate area i.e Beach Terrace.
3. The performance of amplified live music at anytime would be unbearable in this residential area.

Our house is less than 100 metres from this premises.
The Planning Application stated no music.

Thank you for your consideration. I look forward to hearing from you.

[REDACTED]

Beach Terrace etc, exactly the same address as the premises, that's how close we live.

[REDACTED]



The Chief Executive, Licencing Department
Business Compliance & Public Safety Unit
Public Protection Service
West Hartford Business Park
Cramlington
Northumberland. NE23 3JP.

Also emailed to :



28th February 2024

Dear Sir / Madam,

Objection to Application for Premises Licence: (quoted from notice)
Café Needles Eye Ltd in respect of “CAFÉ NEEDLE EYE TLD, BEACH
TERRACE, NEWBIGGIN BY THE SEA, NORTHUMBERLAND, NE64 6XE”

THE PROPOSED APPLICATION IS FOR

1. Supply of Alcohol Monday to Sunday 11:00 to 22:00 (on and off sales)
2. Performance of recorded music Monday to Sunday 09:00 to 22:00
3. Performance of amplified live music Friday and Saturday 17:00 to 21:00

Objection Grounds (pages 1 to 3 below)

1. This objection relates to the playing of persistent Recorded music every day to 22:00 hrs and Amplified live music on a Friday and Saturday to 21:00 hrs that will cause ongoing concern adversely affecting the quality of life of Beach Terrace Residents. This resulting noise disturbance will significantly interfere with the residents right to enjoy their homes.

2. Any noise pollution in excess of the prescribed limits must be monitored to ensure levels are enforced within the generally accepted tolerances. Who will police the noise issue?
3. The increased risk and possibility of anti-social behaviour due to the hours of sale of alcohol, both “on and off sales”, with impact on residents immediately above the facility adjacent to the ramp and steps.
4. The increased risk and possibility of waste and rubbish to the surrounding area of Beach Terrace and the Beach itself, due to the “on and off sales” of alcohol.
5. The original application states (Item 7 – copy attached) “No new lighting, **music** or entertainment will be permitted” How can this application be accepted for review by the council when it contravenes the original application?
6. The original application has not to date been fully approved as no formal PLANS have been received in relation to services/utilities. (Condition 4). It was noted in the letter from Rob Murfin (31/08/23) that insufficient information had been provided to address the requirements of Condition 4, and therefore this condition could not be discharged at this stage. This is still the current situation, so full planning permission has not yet been granted for the facility.
7. Condition 4 states “Development shall not commence until a construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the local Planning Authority.” The construction is at an advanced stage with earthworks near completion and containers place on site.
How can this be allowed by the Planning Authority.
8. The request for an Alcohol Licence to be granted for a facility that has not received full planning permission and where the application states no music or entertainment allowed, is blatantly contradictory and absurd.
9. Without a full planning permission being granted, that includes an accepted plan for the connection of utilities and services, the granting of an alcohol licence without the facility having approved plans for the supply of water and the removal of waste and sewage, obviously again does not make any sense. If the licence is granted, how will the toilets at the facility function, or will people use the local area to relieve themselves. Very Anti-social behaviour!

This licence application is out of step with the development that currently should not have commenced, but is currently at an advanced stage of development, without planning authority approval.

In reality, without full planning permission for the facility with a clear plan for service and utility connections, this licence application cannot surely be considered for approval?

I therefore object fully to the application in accordance with the application narrative detailed above.

Yours faithfully,



Encl:

Doc 244601 – dated 31/08/2023

Doc 2509576 – dated 31/12/2023

Doc 252783 - undated

Three documents attached for reference to support the petition not to allow Music. (Currently specifically excluded in the planning application)

1. **Document 244601 dated 31-08-23 identifies:**

Condition 4 that :

Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority.

Condition 7 that :

2. No new external lighting, music or entertainment will be permitted.

Might be worth quoting the note after the signature on page 2 ?

2. **Document 2509576 dated 13-12-23 identifies on page 2**

insufficient information has been provided to address the requirements of the condition. Condition 4 therefore cannot be discharged at this stage

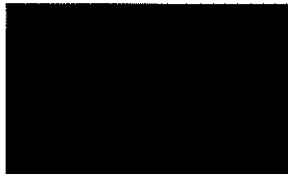
So condition 4 is still valid as of today - no building should start
However as at 27-February-2024, construction is already at an advanced stage.

3. **Document 2527823 - undated**

the latest Construction Method Statement submission which still does not identify any plans for connections to utilities.



Northumberland County Council



Our Ref: [REDACTED]

Your Ref:

Contact: [REDACTED]

Direct Line: [REDACTED]

E-Mail: [REDACTED]

Date: 31st August 2023

Dear Sir/Madam,

Application to Northumberland County Council – Development Management

I refer to your application to the above unit and enclose your approval certificate. This is an important legal document that may need to be produced, for example, if you decide to sell your property. It should therefore be safely stored.

Most approvals are subject to conditions and these are listed on the second page of the certificate. These form part of your permission and must be adhered to. Some conditions may require additional information to be submitted to this unit prior to the starting of any works, whilst others are ongoing, either just during the construction period and others for the life of the development. An application for 'Approval of details reserved by condition' is required to discharge conditions that request further information. Failure to complete work in compliance with the approved plans/conditions or failure to discharge your condition(s) at the correct time could result in the Council taking enforcement action. Please read further information on our website so you fully understand your responsibilities (www.northumberland.gov.uk/Planning).

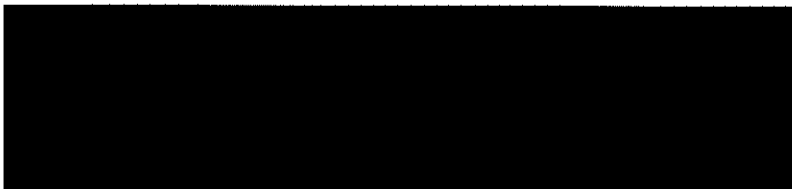
If you consider that you are unable to comply with any of the conditions, you do have a right to apply to the Council to have a condition removed or varied. This has to be in the form of a variation application. Alternatively you do have a right of appeal to the Planning Inspectorate (see information on reverse of certificate). In either of these circumstances, you are advised to contact the Planning Case Officer first.

Most building work will require Building Regulations approval. If you have not already applied for this, you should contact your area Building Control office at either Alnwick, Hexham or Morpeth



Finally, it would be helpful for record keeping purposes, if you could inform the planning unit prior to starting the building or other works, contact information is detailed at the top of this letter.

Yours faithfully,





Northumberland County Council

TOWN AND COUNTRY PLANNING ACT 1990(As Amended)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

NOTICE OF PLANNING PERMISSION

Application No. 23/01776/FUL



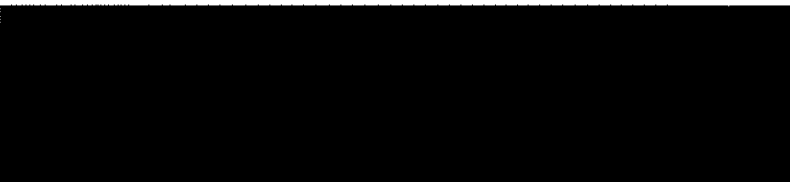
Proposal Proposed Beach style cafe, restaurant and stand alone storage container

Location Needles Eye Cafe Beach Terrace Newbiggin-By-The-Sea Northumberland
NE64 6XE

Applicant



In pursuance of powers under the above Act the Local Planning Authority hereby PERMITS the development described above which should be carried out in accordance with plans and details submitted with the application subject to all conditions defined in the attached schedule.



31st August 2023

NOTE

Failure to adhere to any details shown on the plans forming part of the application for which permission is hereby granted, and/or failure to comply with any conditions attached to this permission, may constitute a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action might be taken.

(YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF)

Application No. 23/01776/FUL

Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are: -

- 1) Location plan drawing no. 267-90-01-01
- 2) RAW 500/560 Roof Cowl c/w BG
- 3) AW 500E4 sileo Axial fan
- 4) Proposed elevations drawing no. 276-20-02 rev. B
- 5) Proposed plans drawing no. 276-20-01 rev. B
- 6) Proposed site plan drawing no. 267-90-03 rev. B

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

- 3 Prior to the commencement of the development hereby approved, precise details of all external materials to be used in the development, including their finishes and colours, must be submitted to the local planning authority for approval. All external materials shall therefore be used in accordance with the approval and retained for the lifetime of the development.

Reason: To retain control over the external appearance of the development in accordance with policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

- 4 Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors; iv. the loading and unloading of plant and materials,
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

- 5 The development shall not be occupied until full details of refuse storage facilities as outlined on the confirmation letter from NCC Neighbourhood Services for the development have been submitted to and approved in writing by the Local Planning

Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

- 6 The development shall not be brought into first use until a Deliveries and Servicing Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to in perpetuity. This Deliveries and Servicing Management Strategy must include:

- o details of the access, routes and vehicles associated with the site;
- o details of the timings for deliveries and servicing of the site;
- o details of the annual numbers of HGV's associated with the deliveries/servicing of the site;
- o a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy; and
- o a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

- 7 No development will take place unless in strict accordance with the following requirements:

1. Timing of the major construction activities to avoid the main wintering period when key species are using the site and environs (October - April inclusive)
2. No new external lighting, music or entertainment will be permitted.
3. Prior to occupation signage will be installed to direct visitors onto the sandy bay to the north of the development site and away from the rocky shore. The LPA will be provided with evidence of this signage in situ the development will be carried out in accordance with the plans as approved.

Reason: To avoid direct and indirect impacts on the interest features of the Northumbria Coast Spa/Ramsar Site, the Northumberland Shore Site of Special Scientific Interest (SSSI), the Coquet to St. Mary's Marine Conservation Zone (MCZ) and Berwick to St. Mary's MCZ, in accordance with Policy ENV2 of the Northumberland Local Plan.

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in paragraph 38 of the National Planning Policy Framework.

Notes to Applicant

1. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
3. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

NOTES

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of The Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development that is already the subject of an enforcement notice, if you want to appeal against your local planning authorities decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
- If you want to appeal, then you must do so within six months of the date of this notice (if this is a decision to refuse planning permission for a householder application or a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice) using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-householder-planning-decision> for Householder and for Full Planning <https://www.gov.uk/appeal-planning-decision>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



Northumberland County Council



Our Ref: [REDACTED]

Your Ref: [REDACTED]

Contact: [REDACTED]

Direct Line: [REDACTED]

E-Mail: [REDACTED]

Date: 13th December 2023

Dear Sir/Madam,

Application to Northumberland County Council – Development Management

Proposal: Discharge of conditions 3 (materials) and 4 (Construction Method Statement) on approved application 23/01776/FUL.

Location Needles Eye Cafe Beach Terrace Newbiggin-By-The-Sea Northumberland
NE64 6XE

Applicant [REDACTED]

Thank you for your application for the discharge of planning conditions which was deemed as valid on the 14th September 2023. I have given consideration to the information submitted and have the following comments to make:-

Condition 3 -

Prior to the commencement of the development hereby approved, precise details of all external materials to be used in the development, including their finishes and colours, must be submitted to the local planning authority for approval. All external materials shall therefore be used in accordance with the approval and retained for the lifetime of the development.

Reason: To retain control over the external appearance of the development in accordance with policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

Comment -

The applicant has provided an external materials schedule, including photographs, which satisfies the requirements of this condition. The condition can therefore be considered discharged upon completion of the works in accordance with the approved materials.

'External materials schedule - 20/11/2023'

Condition 4 -

Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors; iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

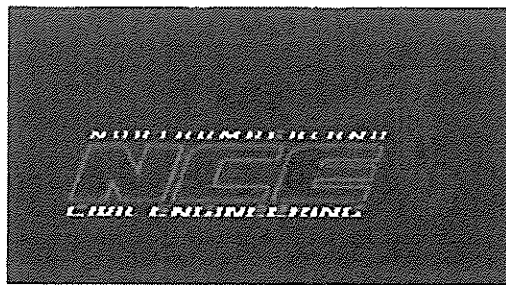
Comment -

Consultation was undertaken with highways development management who confirmed within their response that insufficient information has been provided to address the requirements of the condition. Condition 4 therefore cannot be discharged at this stage.

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in paragraph 38 of the National Planning Policy Framework.

Yours faithfully,



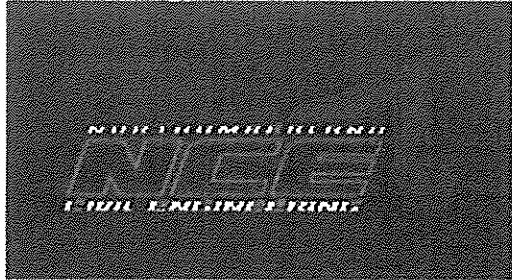


NORTHUMBERLAND CIVIL ENGINEERING

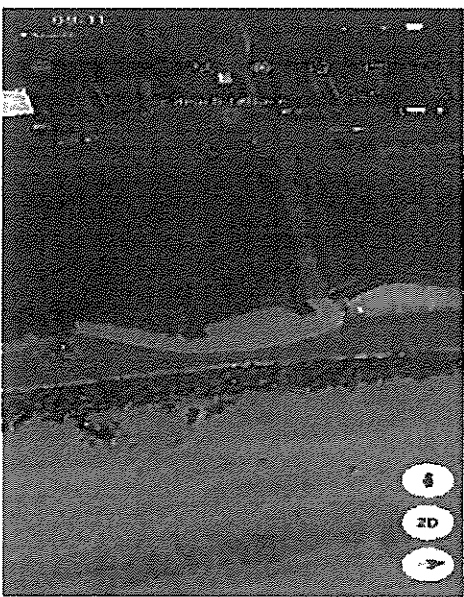
Construction Method Statement

Project Location:	Needles Eye Café Beach Terrace Newbiggin By the Sea Northumberland NE64 6XE
Traffic (Site/Deliveries/Site parking):	<ul style="list-style-type: none">• Construction vehicles, guided by warning signs and banksmen, will traverse the promenade once at a time where pedestrian / cyclist traffic is minimal, aiming for very early morning movement along the promenade. Heavy plant will only consist of one delivery at the start of the project. Plant required will be one small excavator, one small dumper. There will be no plant using the pedestrian route.• Upon reaching the site, they will be fenced in to maintain pedestrian flow this will mean that once the vehicles are on the work site they will remain there until the build is completed meaning no back-and forth daily traffic.• There will be no car entry to site or along the promenade Material deliveries, totalling 2/3 times over the entire construction, will follow stringent safety measures and will adhere to the same signage and bank-man regulations, limiting promenade presence to one hour per delivery. The vehicles will be a concrete wagon and a small crane vehicle which will carry the containers to the site location.• This detailed approach forms the basis for the discharge of condition 4, prioritizing safety throughout the construction process.• Turning circle of 19.5 meters x 15 meters ensures maneuverability for vehicles to turn. Each delivery company has conducted thorough risk assessments for added safety assurance (highlighted as visual 6), which is 275 meters to container for larger vehicles. Smaller vehicles have a turning circle in the area below 40 meters from site which is 8.35 meters (as visual 7).• Plans for the council vehicle access have incorporated a turning circle with a distance of 3.5 meter by 8.5 meter for vehicles to turn sufficiently within the boundaries of our land. This is located on the planned drawing near the bin and pumping stations are on the ground level of the build. This has been confirmed by Neil Dawson and the waste removal team on a site visit.

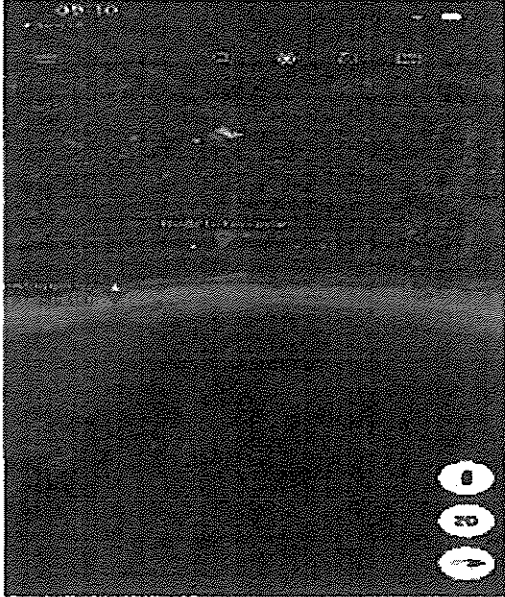




NORTHUMBRIA CIVIL ENGINEERING



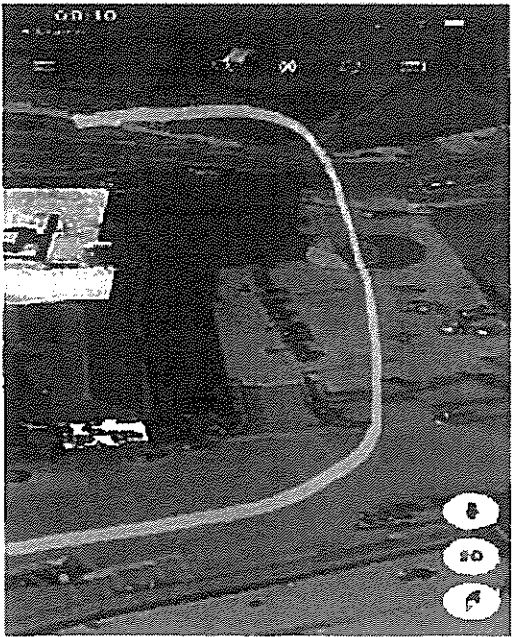
X Beach Terrace



X Beach Terrace

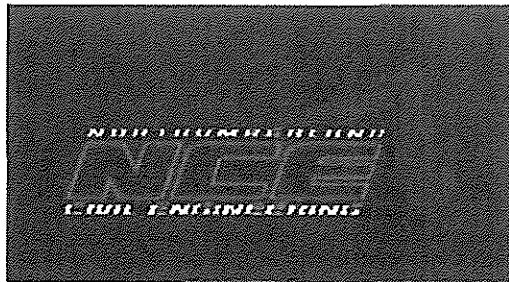
Visual 1 - Beach

front Newbiggin by the Sea Visual 2 - Beach front Newbiggin by the Sea



X Beach Terrace

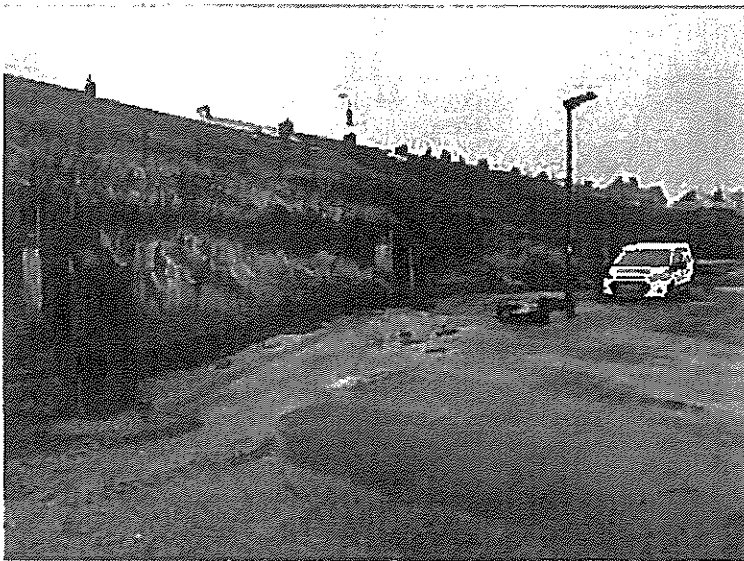
Visual 3 - Access route of Front Street up cable ramp



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Visual 4 – Main front beach area



Visual 5 – Segregated area for site parking



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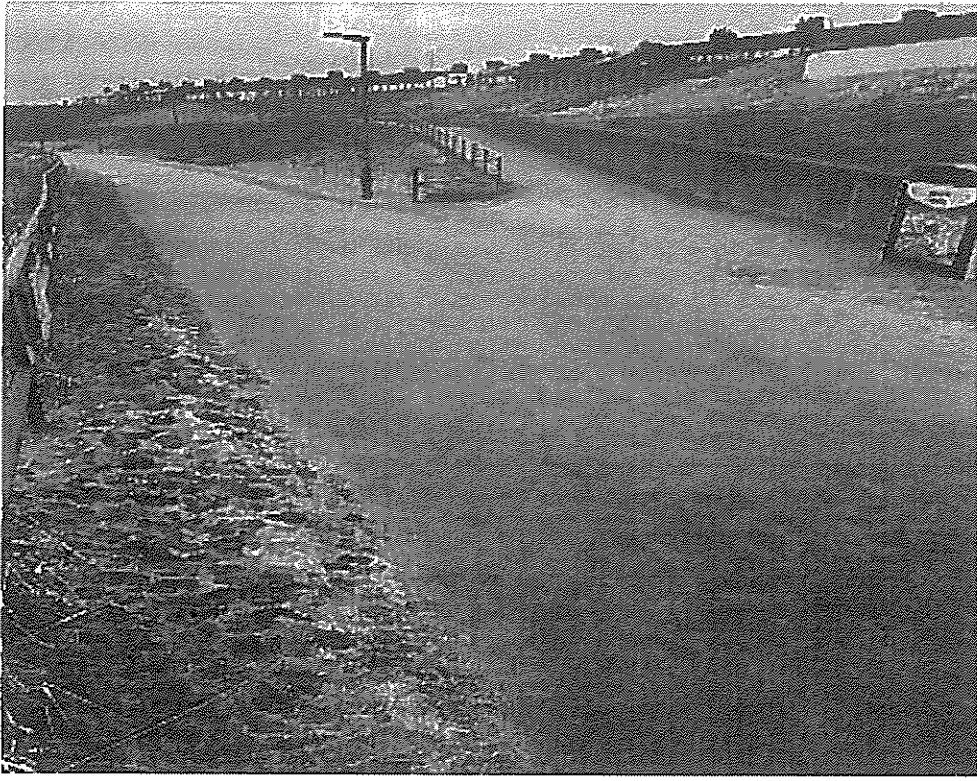


Visual 6 – 275

metres to container for larger vehicles, turning circle is 19.5 metres by 15 metres



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Visual 7 -

Turning circle area, 40metres from site - 8.35 metres x 3.5 metres for council and vehicle access

Notice of Representation

Members of the public can submit representations in objection to or in support of the premises licence applications, within the 28 day consultation period.

Please be aware that for any objections to be considered relevant, they should be submitted before the end of the consultation period and they should address the four licensing objectives in relation to the licensing activity.

The licensing objectives are the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Please be aware that where representations are considered relevant copies of the representation will be provided to the applicant and the Licensing Sub Committee.

Please note: Objections will only be considered where a name and address are supplied.

Name [redacted] Address: [redacted]

[redacted]
[redacted]

..... Licensing Objective:

Premises: Needles Eye Cafe Newbiggin by the
Sea.....

Reason for Representation:

(continue on separate sheet if necessary)

I oppose this application. The nature of this venue has now changed from a cafe/restaurant to a bar and entertainment premises which is not suitable so close to residential streets. The noise and disturbance to the residents will be unacceptable. This is too close to people's homes to have loud music and live entertainment. Some residents are shift workers how are they supposed to sleep? Wrong location for the proposed establishment.

Signed

Date

Please send this notice to the address below:

Licensing Department

Business Compliance & Public Safety Unit

Public Protection Service

Northumberland County Council

West Hartford Business Park

Cramlington, NE23 3JP

Telephone: 01670 623856

Email: licensing01@northumberland.gov.uk