

Item 5(a)

**Report of the Local
Plan Sub-group:
Review of the
Council's Processes –
Scaffold Hill Planning
Application**

**North Tyneside Council
Report to Cabinet
13 October 2014**

Portfolio(s): Housing and Environment

Cabinet Member(s): Cllr John Harrison

Report from: Overview, Scrutiny & Policy Development Committee

Wards affected: All

PART 1

1.1 Purpose:

1.1.1 The purpose of this report is to present the recommendations of the Overview, Scrutiny & Policy Development Committee in relation to its Local Plan Sub-group study into Review of the Council's Processes – Scaffold Hill Planning Application.

1.1.2 In accordance with Section 21B of the Local Government Act 2000, Cabinet are required to provide a response to the recommendations of the Overview and Scrutiny Committee within two months. In providing this response Cabinet is asked to state whether or not it accepts each recommendation and the reasons for this decision. Cabinet must also indicate what action, if any, it proposes to take.

1.2 Recommendation(s):

1.2.1 It is recommended that Cabinet consider and formulate a response to the recommendations set out in the Local Plan Sub-group: Review of the Council's Processes – Scaffold Hill Planning Application report.

1.3 Forward plan:

1.3.1 The report was included in the forward plan for the period 15 September 2014 – 31 December 2014 under the matters arising from Overview, Scrutiny & Policy Development Committee and its sub committees heading.

1.4 Council plan and policy framework

1.4.1 This report links to 'Our North Tyneside' Council Plan, particularly to Priority 2 – Our Places – to develop an effective strategy to ensure that there is sufficient good quality housing across North Tyneside to meet the identified need, as outlined in the 2013/14 Action Plan.

1.5 Information:

Background information

1.5.1 The Local Plan Sub-group was asked to review the processes in relation to the Scaffold Hill planning application and subsequent planning appeal. This followed the agreement of the Council Motion set out below which was considered by Council on 14 March 2013:

“The very recent Planning Appeal (re Scaffold Hill Farm proposals) that caused the Council to withdraw from the appeal altogether as a consequence of information coming to light at a very late stage, in fact the evening before the appeal was to be held, so placing the Council in a very difficult position both financially and also the risk of the appeal process.

Council therefore resolves that an urgent review be taken by the Overview and Scrutiny Committee into how the planning application was processed, the information that was submitted and considered by Officers and Planning committee members, including the analysis of evidence and preparation for the planning Inspector’s Appeal hearing. A report should be produced by Overview and Scrutiny and presented to the Full Council for consideration and discussion.”

1.5.2 As part of the review the sub-group received background information from officers on the planning application and appeal. This included detailed information on:

- the legislative position around planning decisions and the appeals process;
- the chronology of events around the Scaffold Hill Farm Planning application determination and subsequent appeal process;
- information on the evidence prepared for the appeal by the highways consultant acting for the council;
- How processes have been reviewed and action put into practice in dealing with subsequent applications.

1.5.3 The Sub-group also:

- Had discussions with the highways consultant who was appointed by the Council to support the appeal;
- Considered written and verbal comments from relevant ward councillors;
- Met with representatives of the Holystone Action Group, a residents group that had campaigned against the development at Scaffold Hill and were in attendance at the appeal hearing.

1.5.4 Overview, Scrutiny and Policy Development Committee received the report at its meeting on the 1 September 2014 and following discussion agreed to amend 2 recommendations to reflect the benefits of expanding the traffic flow modelling to illustrate the cumulative impact of traffic movements throughout the Borough and the inclusion of children & young people in consultation exercises of this nature.

1.5.5 The full report which outlines the key findings, conclusions and recommendations of the review is attached at Appendix 1.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Cabinet may accept the recommendations set out in paragraph 1.2 above.

Option 2

Cabinet may not accept the recommendations set out in paragraph 1.2 above.

Option 3

Cabinet may accept part of the recommendations as set out in paragraph 1.2 above and reject the rest.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

1.7.1 Option 1 is recommended by Overview, Scrutiny & Policy Development.

1.7.2 Cabinet are asked to provide reasons for any recommendations which are not approved.

1.8 Appendices:

Appendix 1: Report of the local Plan Sub-group: Review of the Council's Processes – Scaffold Hill Planning Application

1.9 Contact officers:

Jackie Palmer – Planning Manager, Capita
Andrew Flynn – Integrated Transport Manager

Background information:

Report of the local Plan Sub-group: Review of the Council's Processes – Scaffold Hill Planning Application.

Overview, Scrutiny & Policy Development Committee – Minutes 1 September 2014

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications at this stage.

2.2 Legal

2.21 In accordance with Section 21B of the Local Government Act 2000, Cabinet are required to provide a response to the recommendations of the Overview, Scrutiny & Policy Development Committee within two months. In providing this response Cabinet is asked to state whether or not it accepts each recommendation and the reasons for this decision. Cabinet must also indicate what action, if any, it proposes to take.

2.3 Consultation/community engagement

2.3.1 Consultation for the review was undertaken with council officers, partners (Capita) and resident representatives.

2.4 Human rights

There are no direct issues relating to human rights arising from this report.

2.5 Equalities and diversity

There are no direct issues relating to equalities and diversity arising from this report.

2.6 Risk management

There are no direct issues relating to risk arising from this report.

2.7 Crime and disorder

There are no direct issues relating to crime & disorder arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications at this stage.

PART 3

The following officers and Members have been sent a copy of the report for their information:

- *Mayor/Cabinet Member*
- *Chief Executive*
- *Strategic Manager (Finance)*
- *Monitoring Officer*
- *Head of Corporate Strategy*