

**Appendix D: Schedule of responses to the public consultation on the draft Article 4(1) Direction.**

Respondent	Comments	Council response
Respondent 1	<p>I am writing to express my full support for the Cabinet to confirm the above Direction. I believe this is essential in order to protect the attractive appearance of the Marina frontage from crass, unsightly developments such as the recent carbuncle at 47 Chirton Dene Quays. Can you please confirm that the houses on Commissioners Wharf, which face onto the Marina, are also having a similar Direction placed upon them to ensure control against unsightly developments there? It is unfortunate that the protection afforded prior to the General Permitted Development Order 2015 was unwittingly lost, which then enabled the horrendous development at 47 to proceed without challenge. This episode emphasises the importance for the Council to enact the Article 4 Direction as quickly and vigorously as possible.</p>	<p>Thank you for your response. Your support for the Article 4(1) Direction at Chirton Dene Quays is noted. At the moment an Article 4(1) Direction is not being pursued at Commissioners Wharf. It was felt that incremental changes have eroded the appearance at Commissioners Wharf, making it more difficult to justify such a Direction there. This is not to say that a Direction would not be considered in the future.</p>
Respondent 2	<p>I am in receipt of correspondence on the above subject dated 30 May 2017. The removal of certain permitted development rights from Chirton Dene Quays would be welcomed by residents and supported by most. However, you may be aware that there is a local lack of trust in the planning process and the Planning Department in particular. The cause of this mistrust is a perception that the department is resistant to any more than basic consultation and appears to side line elected representatives. In order to go some way to rectifying this it would be useful, in addition to enforcing the above direction, to review practices and procedures in order to allow mandatory oversight by elected representatives on unelected officers of the Planning Department regarding proposals for under 10 dwellings or 1000 sq. metres. The necessity for a review can be identified from an examination of a recent planning decision (15/02011/FULH) for a property on Chirton Dene Quays. Consultation in this case was so cursory as to be almost non-existent and elected officers' comments or involvement avoided. The misguided decision was based largely on unsubstantiated opinion where proper investigation and the application of fact appeared to be an unknown concept. For example the idea that the development would "not significantly impact the character and appearance of the street scene" is frankly divorced from reality. Legislation (General Development Order 2015) has been widely used to justify the above decision. However, sections A1 k and B1 e, where a refusal could, and should, have been in order the legislation was brushed aside by the</p>	<p>Thank you for your response. Your support for the Article 4(1) Direction at Chirton Dene Quays is noted. Your comments will be presented to North Tyneside Council Cabinet for their consideration.</p>

	<p>application of faulty opinion and dubious comparisons. I trust the above will assist in your discussions, Article 4(1) will be implemented as soon as possible and a review of procedures undertaken to increase the involvement of elected officers in overseeing smaller developments.</p>	
<p>Respondent 3</p>	<p>As owners of our property we wish to confirm our agreement that Article 4(1) Direction should be enforced by North Tyneside. The properties concerned are as outlined in your letter 30<sup>th</sup> May 2017 with attached map. I wish to draw to your attention my continued concern regarding the development which is almost completed at 47 Chirton Dene Quays. These concerns were as detailed in my correspondence to our Lady Mayor and responded to in her email 27 April 2017. I wish also to stress that I was not aware of any prior notification regarding these extensions, previously refused by LPA. Quote your email 27th April 2017, "Planning permission was refused on the basis that it was recognised that whilst not of significant architectural merit, the development as a whole had a consistency to its design with regularly repeating window patterns and consistent use of materials. Having regard to an appeal decision from 2004, it was considered that the alterations to one property would erode this consistent, rhythmic pattern of design. This was on the basis that at the time, because of the condition imposed by the Development Corporation, no properties could be extended without planning permission and hence the control of the council as LPA. The councils decision was upheld with an appeal having been dismissed." In respect to the comment in the above regarding 'architectural comment', whilst these are not listed buildings they have attracted very favourable comment from UK and foreign visitors regarding how attractive the development is, therefore uniformity of overall design is a significant factor. This is further outlined in your correspondence 30th May 2017. Quote 30th May correspondence "This situation has arisen due to an error made by the TWDC in the writing of the planning condition. There is now concern that homeowners can undertake development to their properties that could harm the uniformity and attractiveness of Chirton Dene Quays." Whilst the neighbours adjacent to this development may or may not be happy with this development we personally are not. Further more we considered that the development has adversely effected the value of our property and we shall be seeking advice as to the levels of compensation from North Tyneside as the LPA. Of course the modification could be reversed to the original architects vision and attractive concepts. Finally we are unhappy about the direction coming into force 12 months after</p>	<p>Thank you for your response. Your support for the Article 4(1) Direction at Chirton Dene Quays is noted. Your comments will be presented to North Tyneside Council Cabinet for their consideration. The proposed 12 month period was agreed by North Tyneside Council Cabinet on 13th February 2017 (report can be read here: <a href="http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=567919&amp;p_subjectCategory=41">http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=567919&amp;p_subjectCategory=41</a>). 12 months is considered a reasonable amount of time to avoid the circumstances of where a landowner could claim compensation due to the affects of the Article 4(1) being implemented. It is recommended that the Council's Public Access system would be the best way for you to check the details of any proposed development in your area (<a href="https://idoxpublicaccess.northtyneside.gov.uk/online-applications/search.do?action=simple&amp;searchType=Application">https://idoxpublicaccess.northtyneside.gov.uk/online-applications/search.do?action=simple&amp;searchType=Application</a>). Application 17/00243/FUL is currently under consideration. The final decision on the application will be uploaded onto Public Access.</p> <p>The road running from Royal Quays to the ferry landing is under the management of the developer. When planning permission was granted for the Smiths Dock development, a legal agreement was entered into that would</p>

	<p>the date the cabinet confirms the direction. Why is this? Are further developments in hand which will significantly affect the uniformity and attractiveness? Having discussed the development of number 47 with our neighbours we have been assured that as good neighbours they would not contemplate carrying out such a development adjacent to our house. However should they move house we would like to feel protected against any developments of this nature by new residents. We would therefore welcome details of any proposed major developments in our area. Whilst appreciating that the following are only indirectly related they do impinge on my final comment. What is the status of the proposed planning application to build flats at the quayside of the marina planning application 17/00243/FUL and being handled by Jackie Plumer? We are happy with the development of the previously derelict land adjacent to the boat yard by Cussins. This will undoubtedly lead to a tidy up of the developed but badly neglected area between the building site and the Smiths Dock development. It is worth stating that many more foreign, UK and local cyclists use this area far more than the expensive cycle way development along The Broadway. Why not open the previously signed road way as a cycle route from Royal Quays to the ferry landing? Talking to Urban Splash regarding phase 1 and 2 developments they foresee these taking 2 years. Surely these are all inter related to the development of the Smiths Dock A19 corridor with previously proposed ferry links and a more co-ordinated approach to planning development implementation and maintenance of under developed areas is necessary.</p>	<p>see the road being opened 18 months following the sale of the first dwelling.</p>
<p>Department for Communities and Local Government</p>	<p>Thank you for your email of 30 May 2017 advising the Secretary of State that North Tyneside Council intends to confirm the above-mentioned Direction. You are reminded to advise the Secretary of State about confirmation of the Direction in those circumstances as set out in the regulations. It would also be helpful to know when the Council decides in due course not to confirm the Direction.</p>	<p>Thank you. The Secretary of State will be informed when the Direction is confirmed or the Council decides not to confirm it.</p>
<p>Respondent 4</p>	<p>As the property that has been the subject of all the development which has lead to this latest development, may I respectfully suggest that you do NOT take away peoples right to vastly improve the area in which we live. I feel that along with the help from your planning department, our finished development has both made a vast improvement to the property, and the area. Our efforts are continually being complimented by the many people who enjoy walking round the area, and there is no doubt what we have done is a vast improvement.</p>	<p>Thank you for your response. Your opposition to the Article 4(1) Direction at Chirton Dene Quays is noted. Your comments will be presented to North Tyneside Council Cabinet for their consideration. An Article 4(1) direction would not necessarily represent a stop to any development at Chirton</p>

	<p>I urge you not be put restrictions in blanket form but work with occupants who are willing to work with you, but still improve and modernise their homes. Bellways and whoever, never made use of the magnificent setting that this marina has proved to be. I am more than willing to allow your department to visit my home to see the results of our many consultations, mainly/exclusively with my wife.</p>	<p>Dene Quays. It simply means that planning permission would be required for such development, allowing for dialogue and collaboration between the planning team and applicant, as encouraged in this representation.</p>
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