

These minutes are subject to the confirmation of Planning Committee at its next meeting on 26 January 2016

Planning Committee

8 December 2015

Present: Councillor T Mulvenna (Chair)
Councillors J M Allan, A Arkle, L Darke,
S Graham, M A Green, M Hall,
John Hunter, M Huscroft, D Lilly, F Lott,
G Madden, D McMeekan, S Mortimer and J O'Shea.

PQ41/12/15 Apologies

No apologies for absence were received.

PQ42/12/15 Substitute Members

There were no substitute members appointed.

PQ43/12/15 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

PQ44/12/15 Minutes

Resolved that the minutes of the meeting held on 17 November 2015 be confirmed as a correct record and signed by the Chair.

PQ45/12/15 Planning Officer's Reports

Resolved that (1) Permission to develop pursuant to the General Development Provisions of the Town and Country Planning Act 1990 and the Orders made thereunder, be granted for such class or classes of development or for such limited purpose or purposes as are specified, or not granted as the case may be, in accordance with the decisions indicated below; and

(2) Any approval granted for a limited period be subject to the usual conditions relating to the restoration of land, removal of buildings and discontinuance of temporary use.

Application No: **15/01144/FUL** Ward: **Benton**
Application Type: Full planning application
Location: Darsley Park, Whitley Road, Benton, Newcastle upon Tyne
Proposal: Proposed residential development of 71no. dwellings with associated estate roads, external works drainage and landscaping (Revised plans received 03.09.15) (Amended Layout Plan received 21.09.15).
Applicant: Taylor Wimpey (NE) Ltd

This application had been deferred from the meeting held on 17 November 2015 to allow

Members to view the traffic model illustrating the impact of this development on traffic in the area, particularly the A191 corridor.

Prior to the consideration of this application, the planning officer circulated an addendum which summarised objections received after the report had been published in the agenda.

The planning officer presented the application to the committee and then a principal transport consultant ran the traffic model; a before and after scenario was presented to illustrate the traffic flow at 8.30am on the A191 adjacent to the development site. Members asked questions regarding what the model showed and the information it used.

Councillor P Oliver, as ward councillor, was permitted to address the committee. Councillor Oliver informed the committee that residents wanted the decision on the development postponed until the Local Plan was finalised and they had received responses to the questions they had posed at an information day at the Blue Flames Sports Club. Their objections to the development related to the loss of the green space and the sports facilities; the impact on ecology; and the impact on traffic density. Sport England had objected to the lack of a replacement playing field and the English Cricket Board were concerned about the continued displacement of the Civil Service Cricket Club; with childhood obesity increasing all spaces for sport should be protected and this space could be bought back into use. The environmental concerns centred on the loss of habitat and the impact on bats, trees and the reduction of open space in the area. The roads were highly congested and there were a lot of other developments in the area which would have an impact on traffic flow; this development would make the situation worse. The development would also impact on the amenity of existing residents during the construction phase.

Members of the committee had the opportunity to ask questions of Councillor Oliver.

Mr Alistair Willis, agent for the applicant, was permitted to address the committee in response. Mr Willis stated that the site had been vacant for 15 years which exceeded the policy test and was designated as open space in the Unitary Development Plan. The loss of the ground for the cricket club was a private agreement between the club and Newcastle United and not relevant to this application. The Council's 2012 Playing Pitch Strategy did not include this site and there was no unmet demand for cricket pitch provision and the planning obligation contributions were going to sports facilities in the borough. More noise assessment work had been undertaken since the November meeting, including during a Newcastle United under 21 match and first team training, and the original proposals were sufficient to mitigate this impact. The site had been identified in the emerging Local Plan as land for housing, it was an appropriate density, key characteristics of the area were kept and there was provision for eighteen on-site affordable houses. The development met all the sustainable tests in the NPPF.

Members of the committee asked questions of Mr Willis.

Members of the committee then asked questions of the officers and made comments.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application subject to the conditions listed in the report and the addition, omission or amendment to any conditions as considered necessary and the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- 25% on-site affordable housing (18 in total). 13 to be affordable rent and 5 to be intermediate.
- £14,325 to manage the additional footfall from new residents to Benton Quarry Park, Station Road Local Wildlife Site (LWS) and the Public Right of Ways (PROW). Areas of semi-improved grassland should be created/ enhanced as mitigation for loss of the grasslands on this site. These could be created within Benton Quarry Park or in the Station Road LWS area.
- £5,400 to bring a minimum of two plots back into production at the Wiltshire Drive allotment.
- £52,633 towards existing children's equipped play to be spent within the vicinity of the area
- £47,085 towards improvements to existing facilities in line with playing pitch strategy
- £8,176 towards maintaining and improving existing swimming pool facilities at the Lakeside Centre, Killingworth
- £15,512 towards maintaining and improving existing sports hall facilities at the Lakeside Centre, Killingworth
- Employment and training two apprenticeships or a financial contribution of up to 0.5% of the capital cost.
- £163,619 towards highway improvements to the existing PROW network to the south of the site and a contribution to a new cycleway on the A191 Whitley Road on the basis of improving sustainable links with the site and reducing the amount of associated car journeys.

(Minded to grant recommended because the principle of residential development was acceptable and the proposal would contribute to the five year housing land supply. The impact on existing land uses, the transport network, biodiversity and the character and appearance of the area was acceptable as was the level of amenity for new residents. Overall the proposal met the principles and policies in the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002)

Resolved that the Head of Law and Governance and the Head of Environment, Housing and Leisure be granted delegated authority to undertake all necessary procedures to obtain the following highway improvements by virtue of section 278 of the Highways Act 1980:

- New access
- Upgrade of existing footpaths abutting the site
 - Associated drainage
 - Associated street lighting
 - Associated road markings
 - Associated signage

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

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.

Application No:	15/01146/OUT	Ward:	Valley
Application Type:	Outline planning application		
Location:	Land north and east of Holystone Roundabout, Rotary Road, Backworth Newcastle upon Tyne		

Proposal: Proposed retail development (Class A1), food and drink unit (Class A3) and petrol station (Sui Generis) with associated access, parking, service area and landscaping (Supplementary Highways Info uploaded 01.10.2015) (Additional Landscape/Ecology Info uploaded 06.10.2015)
Applicant: The Northumberland Estates
Agent: Nathaniel Lichfield and Partners

The committee received a report detailing the application.

Members of the committee had the opportunity to ask questions of the officers and make comments.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application subject to the conditions listed in the report and the addition, omission or amendment to any conditions as considered necessary and the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A financial contribution to cover the cost of the provision of three Toucan crossings in order to provide and improve sustainable links to the application site.
- A Travel Plan Bond in order to ensure that targets set out within the Travel Plan are implemented and adhered to.

Should an agreement not be reached on the exact contribution required, the following conditions should be added:

- a) The provision of three Toucan crossings in order to provide and improve sustainable links to the application site.
Reason: In the interests of traffic management and highway safety; and
- b) The provision of a means to ensure that the Travel Plan targets are implemented and adhered to.
Reason: In the interests of traffic management and highway safety.

(Minded to grant recommended because the principal of the development was acceptable and would enhance the character and appearance of the site and surrounding area, offer improved retail and other facilities for local residents and create new jobs. The impact on current residents' amenity and access and parking was acceptable and overall the proposals met with the principles and policies in the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.)

Resolved that the Head of Law and Governance and the Head of Environment, Housing and Leisure be granted delegated authority to undertake all necessary procedures to obtain the provision and improvement of sustainable links to the application site by virtue of section 278 of the Highways Act 1980.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No: **15/01518/FUL** Ward: **Killingworth**
 Application Type: Full planning application
 Location: Percy Hedley School, West Lane, Killingworth, Newcastle upon Tyne NE12 7BH
 Proposal: Erection of new single storey education wing to the south elevation of the existing upper school. Extension to the east elevation and infill extension to the south facade to enable creation of new teaching spaces. Associated alterations to exterior facade and new associated parking facilities
 Applicant: Percy Hedley Foundation
 Agent: Gradon Architecture

The planning officer presented the application to the committee.

Members asked questions of the officers and made comments.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application subject to the coal authority being satisfied and no other additional comments being received from consultees which raised matters which in the opinion of the Head of Environment, Housing and Leisure had not previously been considered and justified reconsideration by the Committee; and the conditions listed in the report with the addition, omission or amendment to any conditions as considered necessary.

(Minded to grant recommended as, subject to the coal authority not having an objection, the principle of the proposal was acceptable as was the impact on the character and appearance of the surrounding area; amenity; parking provision; highway safety; landscaping; and biodiversity. Overall the proposals met with the principles and policies in the National Planning Policy Framework and 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.

Application No: **15/01421/FUL** Ward: **Benton**
 Application Type: Full planning application
 Location: Police Station, Wilson Terrace, Forest Hall, Newcastle upon Tyne NE12 7JP
 Proposal: Conversion of the former police station to residential accommodation to form 5no three bedroom properties including a two storey side extension and single storey rear extension
 Applicant: Mr Richard Wearmouth

The planning officer presented the application to the committee.

Members asked questions of the officers and made comments.

Decision

Application approved, subject to the conditions listed below, as the principal of residential development on this brownfield site was acceptable and would contribute to the authority's

five year housing land supply. The impact on surrounding amenity and future occupiers was acceptable, as was the design and layout and access. Overall the proposals met with the principles and policies in the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
 - OS plan (1:1250)
 - Existing site plan Dwg No: 33247/R/CVD/010/A
 - Existing and proposed rear elevations Dwg No: 33257/R/CVD/005/B
 - Existing and proposed side elevations Dwg No: 33257/R/CVD/010/B
 - Existing and proposed front elevations Dwg No: 33247/R/CVD/004/B
 - Existing first floor layout plan Dwg No: 33247/R/CVD/003/B
 - Existing ground floor layout plan Dwg No: 33247/R/CVD/002/B
 - Proposed site plan and boundary layout Dwg No: 33247/R/CVD/011/A
 - Proposed ground floor layout plan Dwg No: 33247/R/CVD/006/B
 - Proposed first floor layout plan Dwg No: 33247/R/CVD/007/B
 - Foundation detail Dwg No: 33247/R/CVD/008/AReason: To ensure that the development as carried out does not vary from the approved plans.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
3. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
4. Notwithstanding Condition 1, no residential unit hereby approved shall be occupied until details of facilities to be provided for the storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.
Reason: In order to safeguard the amenities of the area having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
5. Notwithstanding Condition 1, no development shall take place until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, provision of water bowsers and wheel washing and/or road cleaning facilities). The approved statement shall be implemented and complied with during and for the life of the works associated with the development, unless otherwise is approved in writing by the Local Planning Authority.

Reason: This information is required from the outset in the interests of highway safety, pedestrian safety and residential amenity having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

6. Notwithstanding Condition 1, no residential unit hereby approved shall be occupied until details of secure undercover cycle parking have been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

7. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and National Planning Policy Framework.

8. Notwithstanding Condition 1, no residential unit hereby approved shall be occupied until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. These details shall include double boarding to a minimum of 1.8m to the rear yard areas. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

9. Notwithstanding Condition 1, prior to the removal of any concrete hardstanding site investigations will be required to be carried out and any results requiring remediation works will need to be complied with. Thereafter, the development shall only be carried out in accordance with the required remediation.

Reason: In order to safeguard the development and/or the future occupiers thereof from possible future emissions from underground gas, which may potentially be prejudicial to the amenity of the occupants of the property and having regard to Policy E3 of the North Tyneside Unitary Development Plan 2002.

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

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.

(After the determination of the above application, Councillor M Huscroft left the meeting room and did not take part in the decision making on the following applications.)

Application No: **15/01495/FUL** Ward: **Valley**
Application Type: Full planning application
Location: Land at former Co Op Buildings, Earsdon Road, Shiremoor, Newcastle upon Tyne
Proposal: Erection of two storey residential building comprising 16 supported living apartments (Use Class C3), together with associated parking
Applicant: HB Villages Developments Limited
Agent: Peter Brett Associates

The planning officer presented the application to the committee.

Members asked questions of the officers and made comments.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application subject to: (1) the conditions listed in the report and the addition, omission or amendment to any conditions as considered necessary; (2) the receipt of the final comments from Nexus not raising any matters which in the opinion of the Head of Environment, Housing and Leisure had not previously been considered and justified reconsideration by the Committee; and (3) the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £3,392 to improve infrastructure and accessibility to the Silverlink Biodiversity Park. The contribution will be used directly to target the needs of the new residents by focusing on DDA and improved site interpretation; and
- £1,872 for biodiversity improvements to the Shiremoor waggonway adjacent to the site. The contribution would be spent on additional planting for the waggonway and towards any improvements to the footpath.

(Minded to grant recommended as the principle of the proposal was acceptable and would contribute to the Authority's five year housing land supply. The impact on residential amenity; the character and appearance of the surrounding area; flooding and drainage; parking and highway safety; and ecology and biodiversity was acceptable. Overall the proposals met with the principles and policies in the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.)

Resolved that the Head of Law and Governance and the Head of Environment, Housing and Leisure be granted delegated authority to (1) undertake all necessary procedures to close all roads and footpaths within the site that are no longer required under section 247/257 of the Town and Country Planning Act 1990; and (2) undertake all necessary procedures to obtain the following highway improvements by virtue of section 278 of the Highways Act 1980:

- Upgrade of existing footpaths abutting the site and on Co-operative Terrace
- Provision of bus boarders on footpath outside site on Earsdon Road
- Upgrade of carriageway on Co-operative Terrace
- Associated drainage
- Associated street lighting
- Associated road markings
- Associated signage

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No:	15/00699/OUT	Ward:	Chirton
Application Type:	Outline planning application		
Location:	Land adjacent to Third Avenue, Tyne Tunnel Trading Estate, North Shields Tyne and Wear		
Proposal:	Construction of 20,754 sqm of B2/B8 business units with new access roads, HGV turning areas, yards and car parking spaces (Additional ecology surveys received 05.10.2015)).		
Applicant:	The Northumberland Estates		
Agent:	The Northumberland Estates		

The committee received a report detailing the application.

Members of the committee had the opportunity to ask questions of the officers and make comments.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application subject to the conditions listed in the report and the addition, omission or amendment to any conditions as considered necessary and the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £91,449 towards highway improvements at High Flatworth roundabout and the A193 corridor.
- £20,000 towards off site grassland mitigation for the loss of semi-improved grassland and impacts on dingy skipper and wall butterfly.
- The Travel Plan.
- Travel Plan Bond Sum of £50,000 to be deposited to the Council, in the event targets in the Travel Plan are not achieved.

(Minded to grant recommended as the principle of the development for employment purposes was acceptable and the proposals met the principles and policies in the National Planning Policy Framework and 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.

Application No: **15/01609/FULH** Ward: **Cullercoats**
Application Type: Householder Full application
Location: 52 Fairfield Drive, Cullercoats, Tyne and Wear NE30 3AG
Proposal: Proposed side extensions to form bedroom and extended garage, with proposed roof extensions over to form new loft space with additional bedrooms (Amended Plans)
Applicant: Mr Stu Gyger

The planning officer presented the application to the committee.

Members asked questions of the officers and made comments.

Decision

Application approved, subject to the conditions listed below, as the proposed development's impact upon residential amenity and the appearance of the site and the street scene was acceptable in accordance with the principles and policies in the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the approved plans and specifications.
Reason: To ensure that the development as carried out does not vary from the approved plans.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
3. The development hereby approved shall incorporate a gas resistant barrier across the footprint of the approved extension to prevent the ingress of land gases. The gas membrane to be used should be of suitable and appropriate specification for the proposed development to mitigate against the ingress of land gases. The extension shall not be occupied unless such measures have been incorporated into the construction of the building.
Reason: In order to safeguard the development and/or the future occupiers thereof from possible future emissions from underground gas, which may potentially be prejudicial to the amenity of the occupants of the property and having regard to Policy E3 of the North Tyneside Unitary Development Plan 2002

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.