

Planning Committee

26 January 2016

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

PQ46/01/16 Apologies

Apologies for absence were submitted by Councillors M Hall and F Lott.

PQ47/01/16 Substitute Members

Pursuant to the Council's Constitution the appointment of the following substitute member was reported:

Councillor Janet Hunter for Councillor F Lott.
Councillor C Johnson for Councillor M Hall.

PQ48/01/16 Declarations of Interest and Dispensations

Councillor A Arkle declared that in relation to item 5.7, application 15/01767/LAREG3 Land at junction with Reed Avenue and Thompson Avenue, Camperdown, she had pre-determined the application and would take no part in the decision making. She also stated that she would leave the room during the consideration of the application.

Councillor L Darke declared in relation to item 5.8, application 14/01923/FULH The Paddock, Killingworth that although she had met with the objector regarding this application, she had an open mind on the application.

PQ49/01/16 Minutes

Resolved that the minutes of the meeting held on 8 December 2015 be confirmed as a correct record and signed by the Chair.

PQ50/01/16 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: **15/01881/FUL** Ward: **Battle Hill**
Application Type: Full planning application
Location: Telecommunications mast on grass verge north east of 25 Addington Drive,
Wallsend, Tyne and Wear
Proposal: Upgrade of existing telecommunications base station comprising the siting of
1 no. radio equipment cabinet.
Applicant: Telefonica UK Ltd.
Agent: Galliford Try Communications

A request had been received from the applicant for the decision on this application to be deferred to allow a potential alternative site to be explored.

Decision

Application deferred to enable the applicant time to explore an alternative site.

Application No: **15/01823/FUL** Ward: **Cullercoats**
Application Type: Full planning application
Location: Birch Croft, 1 Preston Wood, North Shields, Tyne and Wear NE30 3LT
Proposal: Variation of condition 1 of application 14/01241/FUL to increase height of
approved dwelling by 35cm and change roof design from a hip to gable. (See
notepad)
Applicant: Mr James Sample
Agent: ALCC

The Planning Officer presented the application to the committee.

Councillor McMeekan, as ward councillor, was permitted to address the committee. Councillor McMeekan stated that he was speaking on behalf of residents who had objected to the proposal. The application should be refused because of the detrimental impact on neighbouring properties; the severe loss of amenity, light and outlook; the impact it would make to the character and appearance of the area, particularly the change from a hip to a gable end roof. The development was almost completed and did not comply with conditions attached to the permission granted in October 2014, specifically that the development be carried out in complete accordance with approved plans and specifications and that plant should not be stored on site. The change of the roof design increased the ridge height by over a foot and the change to the eaves height increased it by over 2 ½ feet, a significant change which would have a dramatic and detrimental impact on the residents of Hartburn Road. This change, which was not in accordance with the approved plans, had been constructed prior to planning permission being granted; the applicant had disregarded the planning process and the committee. Allowing this development to continue would set a dangerous precedent; enforcement action should be taken and this application refused because of the significant impact to neighbours amenity.

Members of the committee asked question of Councillor McMeekan.

(As he was a member of the Planning Committee, Councillor McMeekan left the meeting room once he had answered Members' questions).

Ms K Reed, from KLR Planning, was permitted to address the committee in response on behalf of the applicant. Ms Reed explained that the application to seek a variation was required after the detailed design of the roof structure identified that the height of the first floor rooms would not comply with Building Regulations. Construction had already begun when the error was identified and whilst not ideal the change for a gable to a hip roof was

unavoidable at that stage. Plans were submitted as a variation to the original conditions and work continued on site to ensure the property was watertight for the winter months. The agent worked with building control, planning and enforcement to ensure the impact of this change was minimal and the recommendation was for approval which she hoped would be agreed by the committee today.

Members of the committee asked questions of Ms Reed and Mr Laurie, the agent for the applicant.

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

Decision

Application refused because as a result of the change to the roof height and alteration in design, the proposed development would be out of keeping with the character and appearance of the area, contrary to Policy H11 of the North Tyneside Unitary Development Plan 2002.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was not therefore possible to approve the application. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

(At this point Councillor McMeekan returned to the meeting room.)

Application No:	15/01097/OUT	Ward:	Riverside
Application Type:	Full planning application		
Location:	Land forming part of Smiths Dock, Duke Street, North Shields, Tyne and Wear		
Proposal:	Variation of condition 3 (approved plans) - variation to new building heights of phase 2 and removal of condition 41 (energy strategy) of planning approval 11/02390/OUT		
Applicant:	Smiths Dock LLP C/O Agent		
Agent:	Urban Splash		

The Planning Officer presented the application to the committee.

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

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application to vary condition 3 and remove condition 41 of outline planning consent (11/02390/OUT) subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a) the provision of not less than 30 affordable housing units on the site;
- b) the provision of 38 apprenticeships;
- c) the review of the viability of the development at agreed intervals so that, should market conditions improve, additional affordable housing units and/or contributions

- in accordance with the Council's LDD8 "Planning Obligations" could potentially be provided and secured through a subsequent legal agreement;
- d) the opening of the Riverside Link Road to traffic within 18 months of the first legal disposal of any dwelling;
 - e) payment of £125,000 towards the provision and upgrading of recreation facilities within specified distance of the site (to be spent within 10 years);
 - f) restricting construction traffic to agreed routes;
 - g) developer to use reasonable endeavours to ensure that labour employed during development will be local labour; and
 - h) a scheme for the creation of rights of way for traffic, pedestrian and cyclists as appropriate along routes which link with existing routes at the boundaries of the land and along the riverside frontage of the land.

(Minded to grant recommended subject to the recommended conditions in the report and the addition, omission or amendment to any other conditions as considered necessary as the principal of development was still acceptable as there had been no significant change to national or local policy. The proposed revision to height parameters did not have a significant impact on the New Quay Conservation Area, listed buildings or the amenity of occupiers in the adjacent Brewery Bond apartments in terms of privacy, outlook and light. The energy efficiency and low carbon options could be controlled through other means. The proposal therefore complied with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002, particularly policies H11, E16/2, E17/4, E2 and DCPS 14 and LDD11.

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:	15/01099/REM	Ward:	Riverside
Application Type:	Approval of reserved matters		
Location:	Land forming part of Smiths Dock, Duke Street, North Shields, Tyne and Wear		
Proposal:	Phase 2, application for reserved matters for part of the site to form 80 dwellings in two buildings with commercial property on ground floor		
Applicant:	Smiths Dock LLP		
Agent:	Urban Splash		

The Planning Officer presented the application to the committee.

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

Decision

Application approved, subject to the following conditions, as the proposals for the reserved matters of layout (including parking), scale (including privacy, outlook and light issues) and appearance for this development were acceptable. The landscaping was acceptable subject to the conditioned detailed scheme being agreed. The proposals accorded with the

National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002, particularly policies H11, E16/2, E17/4 and DCPS 14 and LDD11 and LDD12.

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. Notwithstanding any details of landscaping which may have been given in the application, the development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority before the landscaping is implemented. This shall include details of planting to the temporary car park.
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy H11 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

3. No other part of the development shall be commenced until:
 - a) A detailed site investigation has been carried out to:
 - i) establish if the site is contaminated;
 - ii) assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the residents and public use of land;
 - iii) determine the potential for the pollution of the water environment by contaminants and;
 - iv) establish the implication for residential development of the site and the quality of the residential environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

- c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

- d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should provide verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

- e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

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.

4. Notwithstanding any details of public realm works which may have been given in the application, prior to implementation of the public realm works, details including hard landscaping and street furniture shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved scheme prior to occupation of buildings unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and to ensure a satisfactory standard of development having regard to policy H11 and DCPS14 of the North Tyneside Unitary Development Plan 2002.

5. Before construction of the parking areas if barrier controls are proposed, details of any barrier controls or bollards to the parking areas shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter barriers and/or bollards shall be implemented in accordance with the approved scheme.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

6. Prior to commencement of the construction of the buildings, details of glazing in the buildings on the river frontage shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Port of Tyne. Thereafter the glazing shall be installed in accordance with the approved scheme and retained thereafter.

Reason: To reduce the impact of large areas of glazing for the safety of river traffic.

7. No floodlighting or other external lighting shall be installed in this phase until the appropriate condition of outline consent 15/01097/OUT has been discharged following consultation with the Port of Tyne.

Reason: In the interest of visual amenity and river safety having regard to policy H11 and DCPS 14 of the North Tyneside Unitary Development Plan 2002.

8. Notwithstanding any details of the 55 space temporary car park shown on the plans hereby approved, if the site of the 55 spaces is developed, the 55 spaces shall be replaced within the Smith's Dock site. The 55 spaces shall be provided on the site unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety having regard to policy H11 of the North Tyneside Unitary Development Plan 2002 and LDD12.

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: **15/01708/FUL** Ward: **Camperdown**
 Application Type: Full planning application
 Location: Land at former Chan Buildings, Comet Row, Stephenson Industrial Estate, Killingworth, Newcastle upon Tyne
 Proposal: Erection of a foodstore (Use Class A1) and associated works including parking and landscaping. Additional Coal Mining information received 18.12.2015
 Applicant: c/o agent
 Agent: Rapleys LLP

Prior to the consideration of the application, the planning officer circulated an addendum which detailed an objection submitted on behalf of a developer which was progressing a proposal for housing on the brownfield land adjacent to the application site and concern that this proposal would have an unacceptable impact on the amenity of future residential occupiers.

The Planning Officer presented the application to the committee.

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

During consideration of the application Members raised concerns regarding the lack of detailed information relating to the location of plant equipment on site, particularly the refrigeration unit, and how the delivery trucks would manoeuvre on site. It was moved and duly seconded that the application be deferred to allow for detailed information to be provided on the location of the plant equipment and the associated noise mitigation measures to make the development acceptable and also further details of the delivery procedures, traffic movement around site and the mitigation measures in place for the noise generated by delivery traffic to be provided to the committee.

Decision

Application deferred until the next meeting of Planning Committee on 16 February 2016 to allow for the submission of more detailed information from the applicant.

Application No: **15/01808/FUL** Ward: **Longbenton**
 Application Type: Full planning application
 Location: Land north of 1 Whitecroft Road, West Moor, Newcastle upon Tyne
 Proposal: Construction of pub/restaurant with associated car parking
 Applicant: Mitchells and Butlers Retail Limited
 Agent: Signet Planning

The Planning Officer presented the application to the committee.

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

Decision

Application approved, subject to the following conditions, as the principle of the development was acceptable despite the loss of safeguarded land. An A4 commercial development within the wider residential development was considered acceptable in 2013 when permission for application 11/02337/FUL was granted on appeal and the plan period allocating the site as safeguarded land expired in 2006. The impact on surrounding amenity and amenity of proposed occupiers of the surrounding residential estate was acceptable as was its design and layout and the car park provision and access. The proposal overall complied with the principles and policies of 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. Notwithstanding Condition 1, prior to the construction of any part of the public house above ground level a schedule and/or samples of all surfacing materials and finishes 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: To ensure a satisfactory appearance having regard to Policy H13 of the North Tyneside Council Unitary Development Plan 2002.
4. 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.
5. Notwithstanding Condition 1, prior to the commencement of construction works of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
6. Notwithstanding Condition 1, prior to the development hereby approved being brought into use a fully detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be

planted in accordance with these details within the first planting and seeding seasons following the commencement of development. Any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

7. Notwithstanding Condition 1, no development shall commence 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 approved in writing by the Local Planning Authority.

Reason: This information is required to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

8. The scheme for refuse storage indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose and shall be permanently retained.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

9. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

10. Notwithstanding Condition 1, no development shall commence until a detailed scheme for surface water management has been submitted to and approved in writing by the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: These details are required from the outset to ensure satisfactory means of surface water drainage can be accommodated within the site having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

11. The scheme for parking indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not be used for any other purpose and shall be permanently retained.

Reason: In the interest of highway safety having regard to Policy H13 of the North Tyneside Council Unitary Development Plan 2002.

12. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
13. No other part of the development shall be occupied until the means of access has been altered in accordance with the approved drawing.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
14. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall thereafter be kept permanently free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.
Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
15. No part of the development shall be occupied until an area has been laid out within the site for refuse/delivery vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
16. Notwithstanding Condition 1, prior to the construction of any part of the public house above ground level a Travel Plan (TP) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall take into account the new development and shall include an undertaking to conduct travel surveys to monitor whether or not the TP targets are being met.
Reason: To accord with NPPF and local policies concerning sustainable transport.
17. No vegetation removal shall take place within the bird nesting season (March-August inclusive) unless a suitably qualified ecologist has confirmed there are no nesting birds.
Reason: This is required from the outset in the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002 and NPPF.
18. Notwithstanding Condition 1, prior to any works commencing on site a badger checking survey, results and an appropriate working method statement (if required) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with these agreed details.

Reason: This is required from the outset in the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002 and NPPF.

19. Notwithstanding Condition 1, prior to works commencing on site all existing hedgerows and trees along the site boundaries shall be protected via appropriate tree protection measures. These protection measures shall remain in situ until completion of the development hereby approved.
Reason: This is required from the outset in the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002 and NPPF.
20. No sound reproduction equipment which is audible outside the curtilage of the premises shall be operated on the site.
Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
21. Notwithstanding Condition 1, prior to the construction of any part of the development above ground level details of an odour suppression system for the arrestment of food odours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development or use commences 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 policy H13 of the North Tyneside Unitary Development Plan 2002.
22. Notwithstanding Condition 1, the development hereby approved shall only be open between the hours of 07:00 and 00:00 on any day (excluding New Years Eve).
Reason: To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
23. Notwithstanding Condition 1, deliveries to the development hereby approved shall only be between the hours of 07:00 and 22:00 on any day.
Reason: To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.
24. Prior to installation of any floodlighting or other form of external lighting , a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following information:
 - a statement of frequency of use, and the hours of illumination;
 - a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
 - details of the number, location and height of the proposed lighting columns or other fixtures;
 - the type, number, mounting height and alignment of the luminaires;
 - the beam angles and upward waste light ratio for each light;
 - an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and

- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interest of visual amenity and/or highway safety having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

25. External seating areas shall only be provided to the areas shown on the submitted proposed site plan (Dwg No. AP06 Revision A) and shall not be provided anywhere else on the site.

Reason: In the interest of residential amenity and/or highway safety having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

26. Notwithstanding Condition 1, the development hereby approved shall not begin until details of the disposal of surface water from the highway, footpaths and other hard surfaces have been submitted to and approved in writing by the Local Planning Authority and no building shall be brought into use until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: This information is required from the outset to ensure a satisfactory development and having regard to Policy H11 of the North Tyneside Unitary Development Plan (2002).

27. Notwithstanding Condition 1, the development hereby approved shall not commence until a detailed scheme for the disposal of foul sewage from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To ensure a satisfactory development and having regard to Policy H11 of the North Tyneside Unitary Development Plan (2002).

28. Notwithstanding Condition 1, prior to the occupation of the development hereby approved all surface water to be discharged into any watercourse, surface water sewer or soakaway system from any hardstanding car parking areas comprising more than 50 parking spaces or any hardstanding car parking areas over 800m², shall be passed through an oil interceptor in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason: In the interest of highway safety and biodiversity and having regard to policies H11 and E12 of North Tyneside Unitary Development Plan (2002).

29. Notwithstanding Condition 1, prior to commencement of the development hereby approved, a method statement setting out measures to be taken to prevent contamination and pollution to watercourses and groundwater sources shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the measures shall be undertaken in full and works on site shall only be in accordance with the approved method statement.

Reason: To prevent any pollution incident and in the interest of biodiversity, having regard to Policy E12 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.

Application No:	15/01767/LAREG3	Ward:	Camperdown
Application Type:	Planning application by local authority		
Location:	Land at junction with Reed Avenue and Thompson Avenue, Camperdown Newcastle upon Tyne		
Proposal:	Development of 13 affordable residential units with associated parking, landscaping and public open space		
Applicant:	North Tyneside Council		
Agent:	Capita		

(Councillor A Ankle left the meeting room before any discussion on the application took place.)

The committee had undertaken a fact-finding site visit on Monday 25 January 2016.

The planning officer presented the application to the committee.

Councillor Allan was permitted to address the committee as ward councillor. Councillor Allan stated that he was there to represent the views of local residents. For years local people had worked in partnership to develop the village and the fact that this scheme had attracted a 100+ petition against it showed the strength of feeling in the village. Residential estates needed open space areas to allow children to play, this area of land was designated as open space and was a safe place for children to play, the other sites listed as a reason why this could be developed were smaller, not fenced and were alongside major thoroughfares putting children at greater risk. The principal of this development was not acceptable, the loss of open space was key, 85% was to be developed and the remaining 15% would cause problems for the new residents as they wouldn't want children playing in front of their homes. Children should be encouraged to be active, keeping this land as open space would be in accordance with the North Tyneside Unitary Development Plan 2002 and the principals of the National Planning Policy Framework as there were not sufficient planning reasons to justify its loss.

Members of the committee asked questions of Councillor Allan.

(As he was a member of the Planning Committee, Councillor Allan left the meeting room once he had answered Members' questions).

Mr Richard Brook, Affordable Homes Project Manager, was permitted to address the committee on behalf of the applicant in response. Mr Brook stated that the case officer's comprehensive report and assessment of the planning application was welcomed because there was a significant shortage of good quality, affordable homes for rent across the borough and in Camperdown. To address this need, the Council had set an ambitious target of delivering 3,000 new homes by 2024; this scheme would directly support the delivery of this target. If approved, this development would deliver high quality, affordable homes with priority given to those living in the locality whilst maintaining an acceptable residential amenity and supply of open space in the local area.

Members of the committee asked questions of Mr Brook.

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

Decision

Application approved, subject to the following conditions, as the proposal on balance was acceptable. Whilst the site was designated as open space and used for informal recreation, the Green Space Strategy illustrated a surplus of open space in the area and the redevelopment of this site would not result in an insufficient provision of open space of this type in the ward or result in a significant loss of local amenity. The proposal would provide much needed affordable housing in the borough and make a contribution to the shortfall in the authority's five year housing land supply. The impact of the development on surrounding amenity and the amenity of proposed occupiers; its design and layout; provision of car parking and access was also acceptable. As was the impact upon biodiversity and character and appearance of the area. The proposal overall complied with the principles and policies of 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. Prior to the construction of any dwelling above ground level a schedule and/or samples of all surfacing materials and finishes 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: To ensure a satisfactory appearance having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.
4. 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.
5. Notwithstanding Condition 1, prior to the commencement of construction works of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
6. Notwithstanding Condition 1, prior to the occupation of any dwelling details of all screen and boundary walls, fences and any other means of enclosure within that development shall be submitted to and approved in writing by the Local Planning Authority. 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. These agreed boundary treatments shall be retained hereafter.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities 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.

7. Notwithstanding Condition 1, prior to the occupation of any dwelling a fully detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be planted in accordance with these details within the first planting and seeding seasons following the commencement of development. Any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

8. Notwithstanding Condition 1, no development shall commence 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 approved in writing by the Local Planning Authority.
Reason: This information is required to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

9. Prior to the occupation of any dwelling details of facilities to be provided for the storage of refuse bins within the site and a scheme to manage refuse collection, including identifying a suitable storage area for collection day only, shall be submitted to and approved in writing by the Local Planning Authority. The facilities which shall 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: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

10. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

11. Notwithstanding Condition 1, no development shall commence until a detailed scheme for surface water management 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 before the development is occupied.
Reason: These details are required from the outset to ensure satisfactory means of surface water drainage can be accommodated within the site having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
12. Notwithstanding Condition 1, prior to the occupation of any dwelling a scheme for the provision of secure undercover cycle parking shall be 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 promoting alternative modes of transport having regard to NPPF.
13. Notwithstanding Condition 1, development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.
Reason: This information is required from the outset to prevent the increased risk of flooding from any sources in accordance with the NPPF.
14. No vegetation removal shall take place within the bird nesting season (March-August inclusive) unless a suitably qualified ecologist has confirmed there are no nesting birds.
Reason: This is required from the outset in the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002 and NPPF.
15. Notwithstanding Condition 1, prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - a) upgrade of existing footpaths and provision of new footpaths abutting the site
 - b) associated drainage
 - c) associated street lighting
 - d) associated road markings
 - e) associated signage

Thereafter, these agreed works shall be implemented prior to the occupation of any dwelling and retained thereafter.

Reason: This information is required at the outset, in order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

16. No other part of the development shall be commenced until:-
 - a) A detailed site investigation has been carried out to:
 - i) establish if the site is contaminated;

- ii) assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the public use of land;
- iii) determine the potential for the pollution of the water environment by contaminants and;
- iv) establish the implication for the development of the site and the quality of the environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.
- c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.
- d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed form the planning application.
- e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: The site is located within an area identified as being potentially contaminated. 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.

- 17. No development shall take place until a scheme showing how the development hereby approved is to be protected against the possibility of landfill gas migrating from the nearby former landfill site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not take place otherwise than in accordance with the details shown in such approved scheme, and those

measures incorporated into the development shall thereafter be retained unless the Local Planning Authority otherwise agrees in writing.

Reason: This information is required from the outset to ensure that the details of the development are satisfactory to prevent the adverse effects of landfill gas which may migrate from a former landfill site having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

18. The details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground, including methane gas, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To check for gas emissions from underground sources and ensure that the details of the development are satisfactory to prevent the adverse effects of underground gas emissions having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

19. The detailed design and construction of the development shall take account of the results of the site investigation and assessment agreed pursuant to condition 19 and also of the possibility of future gas emissions from underground, including methane gas, and the method of construction shall reflect this possibility and incorporate all the measures shown in the assessment to be necessary and any other reasonable precautions to the satisfaction of the Local Planning Authority so as to guard against such emissions having an adverse effect upon the development and/or the future users and occupiers thereof.

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground having regard to policy E3 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.

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:

- a) upgrade of existing footpaths surrounding the site
- b) associated drainage
- c) associated street lighting
- d) associated road markings
- e) associated signage

(Prior to the consideration of the next item Councillors Arkle and Allan returned to the meeting room. Councillor O'Shea left the meeting room.)

Application No: **14/01923/FULH** Ward: **Killingworth**
Application Type: Householder Full application
Location: 125 The Paddock Killingworth NEWCASTLE UPON TYNE NE12 6HJ
Proposal: First floor extension above existing garage and utility to the side of the property
Applicant: Mr Paul Trett

The committee had undertaken a fact-finding site visit on Monday 25 January 2016.

The planning officer presented the application to the committee.

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

Decision

Application refused. The proposed development would have a detrimental visual impact on the character and appearance of the area as a result of it linking to the neighbouring property, contrary to Policy H11 of the North Tyneside Unitary Development Plan.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was not therefore possible to approve the application. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.