

Planning Committee

16 February 2016

Present: Councillor T Mulvenna (Chair)
Councillors J M Allan, A Arkle, L Darke,
S Graham, M A Green, M Hall, John Hunter,
M Huscroft, C Johnson, D Lilly, F Lott, G Madden,
D McMeekan and S E Mortimer.

PQ51/02/16 Apologies

An apology for absence was submitted by Councillor J O'Shea.

PQ52/02/16 Substitute Members

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

Councillor C Johnson for Councillor J O'Shea.

PQ53/02/16 Declarations of Interest and Dispensations

Councillor S Graham declared in relation to item 5.2, application 15/01172/FUL Coleman N E Ltd, Walker Place, North Shields that although she was a work colleague of a resident of Renaissance Point she had an open mind on the application.

Councillor L Darke declared in relation to item 5.4, application 15/01793/FUL land west of Unit 1A, The Boulevard Shopping Centre, West Farm Avenue, Longbenton, Newcastle upon Tyne that although she lived around 100 yards away from the proposed development and welcomed development on the site she had an open mind on the application

PQ54/02/16 Minutes

Resolved that the minutes of the meeting held on 26 January 2016 be confirmed as a correct record and signed by the Chair.

PQ55/02/16 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: **15/01708/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
Agent: Rapleys LLP

Prior to consideration of the application the planning officer circulated an addendum to her report which proposed an amendment to one of the suggested conditions.

The planning officer presented the report.

Decision

Delegated authority granted to the Head of Environment, Housing and Leisure to determine the application 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) A contribution of £14,800 towards retail employment and training
- b) A contribution of £15,000 towards a public art commission

(Minded to grant recommended subject to the recommended conditions in the report and the addition, omission or amendment of any other condition considered necessary as the proposal would not have an adverse impact on neighbours and would provide a modern contemporary building which would enhance the character and appearance of the site and the surrounding area on an important transport route. Additional planting would be secured by condition and the application therefore complied with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.)

Resolved that the Head of Law and Governance be granted delegated authority to:

(1) Undertake all necessary procedures to obtain the following highway improvements by virtue of Section 278 of the Highways Act 1980:

Provision of new access
Upgrade of footpath on Southgate abutting the site
Upgrade of existing crossing on Northumbrian Way to pedestrian/cycle refuge
Localised road widening where appropriate
Associated drainage
Associated street lighting
Associated road markings
Associated signage
Associated legal notice

(2) Undertake all necessary procedures under section 247/257 of the Town and Country Planning Act 1990 (as amended) to formally close all roads and footways within the site that are no longer required.

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:	15/01172/FUL	Ward:	Tynemouth
Application Type:	full planning application		
Location:	Coleman N E Ltd, Walker Place, North Shields, Tyne and Wear, NE30 1JD		
Proposal:	Development of 27 apartments along with associated vehicle parking and landscaping (amended plans)		
Applicant:	P North Developments Ltd		
Agent:	Alston Murphy Associates		

The Planning Officer presented the report. She explained that although an appeal against the non determination of the application had been lodged with the Planning Inspector it had not yet been validated and therefore the Committee was able to determine the application on its merits.

The committee then made comment.

Decision

Application refused on the grounds that the proposed development is considered to be an overdevelopment of the site as the height, massing and footprint of the proposed apartment building results in a visually dominant wall of development on an elevated site within the designated Fish Quay Conservation Area. It would also result in the loss of an important area of open space on the corner of Bird Street and Brewhouse Bank within the Conservation Area. The proposed development would not preserve or enhance the character, appearance or setting of the North Shields Fish Quay Conservation Area and would result in harm to the significance of the Fish Quay Conservation Area. The proposed development therefore did not accord with policies E16/2 and R2/4 of the North Tyneside Unitary Development Plan 2002 or with the NPPF or with the Fish Quay Neighbourhood Plan SPD 2013.

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

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the proposal would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. In the absence of amendments or conditions which could reasonably have been imposed to make the development acceptable it was not possible to approve the application. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No: **15/01696/FUL** Ward: **Whitley Bay**
Application Type: full planning application
Location: Land at former 7 - 13 Park Terrace, Whitley Bay, Tyne and Wear.
Proposal: Erection of a hotel (Class C1), with associated restaurant (Class A3), bar (Class A4), landscaping, car parking and creation of means of access.
Applicant: Premier Inn Hotels Ltd.
Agent: Robertson Property.

DECISION: Application Permitted

Prior to consideration of the application the Planning Officer circulated an addendum to his report which detailed the additional representations which had been received since the report had been written and proposed amendments to the suggested conditions.

Also circulated were additional representations, together with a list of comments on the design of the proposal, which had been submitted by the 'New Beginning' group.

Members of the committee took the time to read and consider the information presented.

The Planning Officer presented the application to the committee

Mrs Hood was permitted to address the committee on behalf of the 'New Beginning' group. She expressed surprise that the original design for the development had been rejected as she considered that it was better than the one before the committee now. The current design did not have the wow factor which was appropriate for a site adjacent to the iconic Spanish City Dome. She explained that the design of the hotel and restaurant, with its red brick construction, was not modern and would not enhance the Dome and its surroundings. During her presentation she referred to a number of pictures showing the original design proposed along with the current proposal and an indication of the type of design that would be appropriate for the site. She asked the committee to reject the application

Members of the committee asked questions of Mrs Hood

Mr McGhee, of Lawrence McPherson Associates, was permitted to respond on behalf of the applicant. He explained that the applicant had created a bespoke development designed to take account of the historic streetscape and the materials had been chosen to reflect the surrounding buildings. He also explained that the design had been changed from render to red brick to take account of the comments of the Historic Buildings Officer.

He also referred to the significant capital and revenue investment in the site which would bring visitors and trade to the town and provide a number of jobs.

Members of the committee asked questions of Mr McGhee

The committee then asked questions of officers and made comments.

Decision

Application approved subject to the following conditions as the proposed development would bring a vacant and derelict site back into use. The design of the development was considered appropriate for the site and would not visually compete with the primacy of the Dome and the materials used are sympathetic with other buildings in the vicinity. The

proposal therefore complied with 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:

Location Plan (Drawing No.1708L (-) 100, Sep 15)
 Site Layout as Proposed (Drawing No.1708L (-) 102 O, Oct 14)
 Site Layout as Proposed Planning Boundary (Drawing No.1708L (-) 105 A, Sep 15)
 Hotel Ground Floor Plan as Proposed (Drawing No.1708L (-) 002 G, Oct 14)
 Hotel First Floor Plan as Proposed (Drawing No.1708L (-) 003 F, Oct 2014)
 Hotel Second Floor Plan as Proposed (Drawing No.1708L (-) 004, Oct 2014)
 Hotel Elevations (Sheet 1) as Proposed (Drawing No.1708L (-) 005 H, Oct 2014)
 Hotel Elevations (Sheet 2) as Proposed (Drawing No.1708L (-) 006 F, Oct 2014)
 Hotel Roof Plan as Proposed (Drawing No.1708L (-) 009B, Jul 15)
 Restaurant Ground Floor Plan as Proposed (Drawing No.1708L (-) 007 H, Oct 2014)
 Restaurant Elevations as Proposed (Drawing No.1708L (-) 008 G, Oct 2014)
 Restaurant Roof Plan as Proposed (Drawing No.1708L (-) 013 A, Oct 2014)
 Restaurant Section (Drawing No.1708 SK-01 A, 17.08.15)
 Ground Floor Plan (Drawing No.001174-PL01, Rev A, 07/15)
 First Floor Plan (Drawing No.001174-PL02, Rev A, 07/15)
 Second Floor Plan (Drawing No.001174-PL03, Rev A, 07/15)
 Elevations (Drawing No.001174-PL05, 07/15)
 Roof Plan (Drawing No.001174-PL04, Rev A, 07/15)
 Topographical Survey (Survey Dwg No.Spanishcity Topo, Rev A, 26/06/2011)
 Extent of Works Area (Drawing No.1708L (-) 104 C, Oct 2014)
 Plant Room Layout (Drawing Ref.SK01, 07/15)

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 any indication of materials which may have been given in the application, prior to the construction of any part of the development a schedule and/or samples of the materials and finishes, including all external surfacing materials must 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: These details are required at the outset in order to secure a satisfactory external appearance having regard to policies LE2, E17/4 and H13 of the North Tyneside Unitary Development Plan 2002, LDD11 Design Quality and the National Planning Policy Framework.

4. 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 policies T6, T9, T11 and LDD12 of the North Tyneside Unitary Development Plan 2002.

5. 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 policies T6, T9, T11 and LDD12 of the North Tyneside Unitary Development Plan 2002.

6. Within 6 months of the new/altered access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb/removing the existing bellmouth and reinstating the footway verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user having regard to policies T6, T9, T11 and LDD12 of the North Tyneside Unitary Development Plan 2002.

7. 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 T6 of the North Tyneside Unitary Development Plan 2002.

8. No part of the development shall be occupied until an area has been laid out within the site for refuse 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 policies T6, T9, T11 and LDD12 of the North Tyneside Unitary Development Plan 2002.

9. The scheme for parking, garaging 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 policies T6, T9, T11 and LDD12 of the North Tyneside Unitary Development Plan 2002.

10. All builders and contractors compounds, site huts, and storage of plant and materials shall be located in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to any development taking place.

Reason: In the interests of the amenity of neighbouring residents having regard to policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

11. Access to the site for all builders and contractors vehicles, including those delivering materials shall be in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to any development taking place.

Reason: In the interests of the amenity of neighbouring residents and road traffic and pedestrian safety having regard to policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

12. Prior to the development commencing a detailed scheme to prevent the deposit of mud and other debris onto the highway and to suppress dust arising from construction activities shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of a) mechanical street cleaning brushes and b) the provision of water bowsers to be made available to spray working areas due to dry conditions. Thereafter development shall not be carried out other than in accordance with the approved details and the approved measures shall be retained on site for the duration of the works and used on all occasions when visible dust emissions are likely to be carried from the site e.g. during dry, windy conditions.

Reason: To safeguard the occupiers of surrounding properties and users of the public highway from any discomfort or loss of amenity arising from construction activities on the site.

13. Prior to any construction activities commencing a scheme indicating the proposed routing of heavy construction vehicles to and from the site and including details of signage to be provided at the site access and at locations along the specified route shall be submitted to and agreed in writing with the Local Planning Authority. No development shall take place until signage has been provided in accordance with the agreed scheme and thereafter such signage shall be retained until construction works are completed.

Reason: In the interests of safeguarding the amenities of local residents and to minimise danger and inconvenience to highway users having regard to policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

14. Prior to the operation of any part of the car park, the applicant shall undertake all necessary procedures required under Section 247/257 of the Town and Country Planning Act 1990 to secure the following;

- Stop up the adopted highway within the site that is no longer required.

Reason: In the interests of highway safety in accordance with policy T6 of the North Tyneside Unitary Development Plan 2002.

15. Prior to works commencing a scheme for the provision of secure undercover cycle parking shall be 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: In the interests of highway safety in accordance with Policy T8 of the North Tyneside Unitary Development Plan 2002 and LDD12.

16. Notwithstanding the details submitted, the Travel Plan shall be implemented in accordance with measures outlined in the Travel Plan. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

17. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The

Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or 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. No other part of the development shall be commenced until:-

a) A detailed site investigation has been carried out to establish:

i) If the site is contaminated;

ii) To 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) To determine the potential for the pollution of the water environment by contaminants and;

iv) 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.

19. No development shall commence above damp proof course until a 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: In the interests of effective surface water management in accordance with the advice in the National Planning Policy Framework

20. 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 prior to occupation of any part of the approved development. The scheme must include locally native coastal planting which is in keeping with the coastal wildlife corridor.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policies E14 and E12/6 of the North Tyneside Unitary Development Plan 2002.

21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and 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 LE3 of the North Tyneside Unitary Development Plan 2002.

22. There shall be no vegetation removal within the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Reason: In order to protect ecology at the site in accordance with policy E12/6 of the North Tyneside Unitary Development Plan 2002.

23. There shall be no general deliveries or collections to the restaurant/bar service yard and service area for the hotel between 22:00 hours and 07:30 hours Monday to Sunday, and no refuse collections between 19:00 hours and 09:00 hours Monday to Sunday.

Reason: In order to protect residential amenity in accordance with policies LE2 and H13 of the North Tyneside Unitary Development Plan 2002.

24. Prior to occupation of any part of the approved development a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The noise scheme must include mitigation measures to prevent noise breakout with particular regard to amplified and live music from the restaurant and bar, and shall include details of an appropriate air conditioning system to protect against windows being opened during live or amplified music activities. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to protect the residential amenity of surrounding occupants and occupants of the hotel in accordance with policies LE2, E3 and H13 of the North Tyneside Unitary Development Plan 2002.

25. Prior to the installation of any external plant and equipment a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The noise scheme, which shall be in accordance with BS4142, must ensure that the rating level at the boundary of the nearest residential premises does not exceed the background noise level for the representative operating times of the plant and equipment. Thereafter, the external plant and equipment must be operated in accordance with the approved details.

Reason: In order to protect the residential amenity of surrounding occupants and occupants of the hotel in accordance with policies LE2, E3 and H13 of the North Tyneside Unitary Development Plan 2002.

26. The restaurant (Use Class A3) and bar (Use Class A4) shall not be open for business between the hours of 01:00 and 06:00 on any day.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policies H13, E3 and DCPS No.16 of the North Tyneside Unitary Development Plan 2002.

27. 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 policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

28. 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.

29. Prior to the installation of any external lighting to the approved development, full details must be submitted to and approved in writing by the Local Planning Authority. All external lighting must be in accordance with guidance provided by the Institute of Lighting, and the lighting must be angled in such a direction so the residents of the surrounding dwellings do not experience any glare from the approved development. Thereafter the lighting shall be maintained and operated in accordance with the aforementioned guidance.

Reason: To protect the appearance of the area, the environment and local residents from light pollution having regard to policies LE2, E17/4 and H13 of the North Tyneside Unitary Development Plan 2002.

30. Prior to the installation of any chimney or extraction vent to be provided in connection with any part of the development, full details of the height, position, design and materials 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: In order to safeguard the amenities of adjoining properties having regard to policies H13 and DCPS No.16 of the North Tyneside Unitary Development Plan 2002.

31. Prior to the installation of any air ventilation systems to any part of the approved development full details must first be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied 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 policies H13 and DCPS No.16 of the North Tyneside Unitary Development Plan 2002.

32. Prior to the installation of any refrigeration plant in connection with the development full details shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter only be installed in accordance with the approved details and permanently retained as such.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policies H13 and DCPS No.16 of the North Tyneside Unitary Development Plan 2002.

33. Prior to operation of the hotel, restaurant and bar, full details of an odour suppression system for the arrestment of cooking odours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the use commences in accordance with the approved details, and shall be maintained in accordance with the details provided by the manufacturer and permanently retained.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policies H13 and DCPS No.16 of the North Tyneside Unitary Development Plan 2002.

34. Prior to the occupation of the hotel, restaurant and bar, the details of facilities to be provided for the storage of refuse from each individual unit shall be 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 each individual unit and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies LE2 and H13 of the North Tyneside Unitary Development Plan 2002.

35. Prior to occupation of the hotel a noise scheme providing details of the window glazing and ventilation details to be installed to habitable hotel bedrooms shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with noise report reference 4574.2 and shall demonstrate that the bedrooms meet the good internal equivalent standard of 30 dB(A) at night and prevent the exceedance of Lmax of 45 dB(A) as described in BS8233:2014. Thereafter, the development shall be carried out in accordance with the approved details and permanently retained.

Reason: In order to provide an acceptable standard of accommodation for the occupiers of the hotel in accordance with policies E3 and LE2 of the North Tyneside Unitary Development Plan 2002.

36. Notwithstanding the approved plans full details of all mechanical ventilation grilles shall be submitted to and approved in writing by the Local Planning Authority. The details must show the location of the ventilation grilles on the elevations and must specify the type of grill. Wherever possible the grilles should be integrated into the glazing surround panels and not the brickwork walls. Thereafter, all mechanical ventilation grilles must be installed in accordance with the approved details and retained thereafter.

Reason: In the interest of the visual amenity of the site and the impact on the adjacent listed building in accordance with policies LE2 and E17/4 of the North Tyneside Unitary Development Plan 2002.

37. Prior to the installation of any man access safety system full details shall be provided to and approved in writing by the Local Planning Authority. Thereafter the system shall be installed in accordance with the approved details.

Reason: In the interest of the visual amenity of the site and the impact on the adjacent listed building in accordance with policies LE2 and E17/4 of the North Tyneside Unitary Development Plan 2002.

38. Prior to development commencing, the following shall be submitted to the Local Planning Authority for approval:

- Details of the drilling and grouting;
- A scheme of further site investigations to discount the presence on site of the mine entry recorded off-site;
- A report detailing the findings arising from the site investigations;
- A report confirming the remedial works carried out on site, including details of foundation solutions proposed;
- Implementation of any required foundation solutions as part of the development.

Thereafter the development should be implemented in accordance with the remediation/treatment works identified in the assessment and which are agreed with the Local Planning Authority.

Reason: To ensure that the historical coal mining legacy is taken into account and appropriately mitigated to ensure a safe development in accordance with the advice in NPPF.

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 pre-application discussions 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:	15/01793/FUL	Ward:	Longbenton
Application Type:	full planning application		
Location:	Land west of Unit 1A, The Boulevard Shopping Centre, West Farm Avenue, Longbenton, Newcastle upon Tyne		
Proposal:	Erection of an Aldi foodstore, provision of 28 additional car parking spaces (disabled driver, parent & child & staff spaces), re-surfacing and re-configuration of part of the existing car park and landscaping.		
Applicant:	Aldi Stores Ltd		
Agent:	KLR Planning		

Prior to consideration of the application the planning officer circulated an addendum to her report which included details of an additional letter of support and a request from the applicant for an increase in the Sunday opening hours. The addendum also included suggested amendments to two of the proposed conditions.

The planning officer presented the report

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

Decision

Application approved subject to the following conditions as the development is considered acceptable in terms of the principle of development, the impact on the environment, local amenity and the highway network and therefore accords with the principles 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 any indication of materials which may have been given in the application, no construction of the unit shall take place until a schedule and/or samples of the materials and finishes for the development has been 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 secure a satisfactory external appearance having regard to policy S2 of the North Tyneside Unitary Development Plan 2002.

4. Prior to the installation of any surfacing materials, a schedule and/or samples of all surfacing materials 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 secure a satisfactory appearance having regard to policy S2 of the North Tyneside Unitary Development Plan 2002.

5. The scheme for parking, garaging 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.

6. No occupation shall take place 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 H13 of the North Tyneside Unitary Development Plan 2002.

7. All builders and contractors compounds, site huts, and storage of plant and materials shall be located in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to any development taking place.

Reason: In the interests of the amenity of neighbouring residents having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

8. Access to the site for all builders and contractors vehicles, including those delivering materials shall be in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to any development taking place.

Reason: In the interests of the amenity of neighbouring residents and road traffic and pedestrian safety having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

9. Prior to the development commencing a detailed scheme to prevent the deposit of mud and other debris onto the highway and to suppress dust arising from construction activities shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of a) mechanical street cleaning brushes and b) the provision of water bowsers to be made available to spray working areas due to dry conditions. Thereafter development shall not be carried out other than in accordance with the approved details and the approved measures shall be retained on site for the duration of the works and used on all occasions when visible dust emissions are likely to be carried from the site e.g. during dry, windy conditions.

Reason: To safeguard the occupiers of surrounding properties and users of the public highway from any discomfort or loss of amenity arising from construction activities on the site.

10. Prior to any construction activities commencing a scheme indicating the proposed routeing of heavy construction vehicles to and from the site and including details of signage to be provided at the site access and at locations along the specified route shall be submitted to and agreed in writing with the Local Planning Authority. No development shall take place until signage has been provided in accordance with the agreed scheme and thereafter such signage shall be retained until construction works are completed.

Reason: In the interests of safeguarding the amenities of local residents and to minimise danger and inconvenience to highway users having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

11. No development shall commence until details of a zebra crossing on West Farm Avenue to provide enhanced pedestrian links to the site with 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 and before the development is occupied.

Reason: In the interests of highway safety.

12. Notwithstanding the Interim Travel Plan already submitted, within six months of occupation the developer shall submit a Final Travel Plan that takes into account staff surveys of travel patterns.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

13. Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities for the site and in the interests of highway safety.

14. No development shall commence until details of a surface water management scheme have been submitted to and approved in writing by the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and before the development is occupied.

Reason: In the interests of surface water management

15. Delivery times to the development shall only be between 07:00 to 23:00 hours Monday to Saturday and between 09:00 to 17:00 Sundays.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

16. Full details of the loading bay acoustic fence to screen the closest residential houses, must be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented prior to the commencement of the use and retained thereafter.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

17. Prior to occupation of the building, a loading bay noise management plan must be submitted to and agreed in writing by the Local Planning Authority. This shall include measures to protect the amenity of residents including reversing alarms being switched off between the sensitive hours of 07:00 and 08:00 and 22:00 and 23:00 hours. Thereafter the deliveries shall be implemented in accordance with the measures agreed.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

18. The opening times of the premises shall be restricted to between 08:00 and 22:00 hours Monday to Saturday and 10:00 and 18:00 hours on a Sunday.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

19. The rating level at the nearest houses shall not exceed 35dB at night and 45dB during the day, in accordance with BS4142 and all plant should be maintained in working order. Within one month of its installation and prior to occupation of the development, acoustic testing shall be undertaken to verify compliance with this condition and a validation report submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

20. A 2.4 metre solid timber fence shall be erected around the refrigeration plant store area prior to the commencement of the use of the development and thereafter retained.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

21. 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.

22. 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.

23. Prior to installation of any 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.

24. Prior to the installation of any chimney or extraction vents to be provided in connection with the development, full details of such systems 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: In order to safeguard the amenities of adjoining properties having regard to policy H13; of the North Tyneside Unitary Development Plan 2002.

25. Prior to installation of any air ventilation systems, full details of such systems shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the details agreed 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.

26. Prior to the installation of any odour suppression system (for the arrestment of baking or cooking odours on site), full details of such systems, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the odour suppression system shall be maintained in accordance with the details provided by the manufacturer.

Reason: To protect the amenities of residents in the vicinity, having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

27. 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: 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.

28. The contractor's site access and site set up shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any proposed works, in conjunction with the tree protection plan. No site storage or parking of plant vehicles are to be located within the root protection area of the existing trees, or other trees in the area or adjacent to the boundary of the property.

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.

29. No utilities or drainage should be located within the root protection areas of the retained trees. Where installation or alteration to existing underground services has been agreed near or adjacent to trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).

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.

30. 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 occupation of the unit commences.

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.

31. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and 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.

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:	15/01567/FUL	Ward:	Riverside
Application Type:	full planning application		
Location:	Royal Quays Outlet Centre, Coble Dene, North Shields, Tyne and Wear		
Proposal:	Erection of a trampoline hall (amended 01.02.2016, agreed 19.11.2015)		
Applicant:	North Shields Investment Properties Ltd		
Agent:	Covell Matthews Architects Ltd.		

The Planning Officer presented the report

Members of the committee made comment

Decision

Application approved subject to the following conditions as the proposal strengthens the existing leisure facilities in the area. Although the development would result in the net loss of parking spaces there is adequate provision proposed and therefore the development is considered to accord with 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 trampoline hall above ground level a schedule and/or samples of the materials and finishes for the development 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 LDD 11 'Design Quality Supplementary Planning Document'.

4. Notwithstanding condition 1, the development hereby approved shall not begin until a 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: This information is required from the outset to ensure a satisfactory development and having regard to the National Planning Policy Framework.

5. The premises shall only be open for business between the hours of 0900 hours and 2100 hours.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

6. 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 occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

7. Prior to occupation of the building hereby approved, an appropriate air conditioning system must be installed and thereafter maintained to protect against the doors in the trampoline hall being opened during use.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

8. A noise scheme must be submitted to the Local Planning Authority for written approval and implemented in accordance with the approved details prior to first occupation of the building hereby permitted. This is to ensure that the rating level from plant and equipment, as measured one metre from facade of nearest sensitive receptor, does not exceed the background noise level for the representative time period that the plant and equipment is operated. The measurement shall be carried out in accordance with BS4142.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

9. 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 E3 of the North Tyneside Unitary Development Plan 2002.

10. 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.

11. Notwithstanding condition 1, no development shall commence until details of a car park monitoring process has been submitted to and approved in writing by the Local Planning Authority. Thereafter, this monitoring process shall be implemented in accordance with the approved details and retained for a minimum period of 12 months.

Reason: In the interests of highway safety and to implement an alternative parking layout if required.

12. Prior to occupation of the development a car park management strategy for the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the management of the car park shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities for the site and in the interests of highway safety.

13. Notwithstanding condition 1, prior to the construction of any part of the trampoline hall 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.

14. Prior to the construction of any part of the trampoline hall above ground level, a fully detailed landscape plan will be submitted in writing to the Local Planning Authority. This will include the details of any replacement trees, including their type of tree species, size and method of fixing/guying proposed. New tree planting must be a minimum size of 12-14cm girth; heavy standard; 3.50-4.00m in height. The plan will also include details of landscaping proposed in the area labelled as the Southern Car Park.

The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To secure a satisfactory external appearance having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

15. Prior to the construction of any part of the trampoline hall above ground level, an Arboricultural Method Statement (AMS) and plan shall be submitted in writing to the Local Planning Authority. It will detail the (dimensional) extent of the works in relation to the protected landscape areas and show a line (on plan) where the protective (Heras) fencing will be located. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To secure a satisfactory external appearance having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

16. All works shall conform with BS5837: 2012 Trees in Relation to Construction - Recommendations, in relation to protection of existing boundary trees and shrubs.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management having regard to policy E14 of the North Tyneside Council Unitary Development Plan 2002

17. Prior to the construction of any part of the trampoline hall above ground level, a schedule and/or samples of all surfacing materials has been 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 secure a satisfactory appearance having regard to policy LDD 11 'Design Quality Supplementary Planning Document'.

18. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority.

Upon approval of the method statement:

a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.

b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority.

The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.

c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met.

The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included.

A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.

d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning Authority to be agreed in writing before the development is occupied/brought into use.

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

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

19. No other part of the development shall be commenced until:-

a) A detailed site investigation has been carried out to establish:

i) If the site is contaminated;

ii) To 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) To determine the potential for the pollution of the water environment by contaminants and;

iv) 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.

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.

(Councillor Arkle left the meeting at this point)

(The Planning Manager left the meeting at this point)

Application No:	15/01956/FULH	Ward:	Benton
Application Type:	householder full application		
Location:	33 Forest Avenue, Forest Hall, Newcastle upon Tyne, NE12 9AH		
Proposal:	Proposed single storey rear extension to provide new accessible bedroom on ground floor and replacement lounge area		
Applicant:	Dr Christopher Hartworth		
Agent:	Mr Aidan Jackson		

Prior to consideration of the application the planning officer tabled an addendum to the report setting out additional representations which had been received. The Chair also reported that he had refused two requests for speaking rights on this application.

The Planning Officer presented the report.

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

Decision

Application approved, subject to the following conditions, as the proposal is considered to be acceptable in terms of its impact on amenity and the appearance of the area and therefore accords with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002, particularly policy H11:

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 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 policies DCPS no. 9 and H11 of the North Tyneside Unitary Development Plan 2002.

4. 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.