

Planning Committee

8 March 2016

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

PQ56/03/16 Apologies

Apologies for absence were submitted by Councillors A Arkle, John Hunter and G Madden.

PQ57/03/16 Substitute Members

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

Councillor C Johnson for Councillor A Arkle.

PQ58/03/16 Declarations of Interest and Dispensations

Councillor J O'Shea declared in relation to item 5.2, application 15/00789/FUL Whitley Bay Metro Station, that whilst he had requested the application be considered by the committee to allow for a wider debate he had not pre-determined the application and had an open mind.

PQ59/03/16 Minutes

Resolved that the minutes of the meeting held on 16 February 2016 be confirmed as a correct record and signed by the Chair.

PQ60/03/16 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: **15/01958/FUL** Ward: **St Marys**
Application Type: Full planning application
Location: West Farm, 44 Front Street, Earsdon, Whitley Bay, NE25 9JT

Proposal: Refurbishment of existing farmhouse and farm buildings, with associated demolition and two storey and single storey new build extensions, in order to provide 6no. new dwellings
Applicant: Monument Ltd.
Agent: Miller Partnership Architects Ltd.

The Planning Officer presented the application to the committee.

Mr Raine, an objector to the application, was permitted to address the committee. Mr Raine stated that he and his wife were not against the redevelopment of the site as a whole but that they objected to the extension of the barn directly behind them. The proposal here was for a car port which would be the only one on the site, was not integral to the development and would have a detrimental impact on a tree in their back garden. The proposals would require the removal of some healthy braches and potentially damage the roots due to the excavation works required to enable the construction of the car port. Mr Raine stated that his tree surgeon had different measurements from the applicant's tree report and their disappointment that a site visit had not been undertaken by the Council's landscape architect. Mr Raine also detailed an alternative layout they had suggested to the applicant which had been declined and referred to their rights in relation to notice of works under the Party Wall Act.

Members of the committee asked questions of Mr Raine.

Mr Andrew Richardson, applicant, was permitted to address the committee in response. Mr Richardson stated that he wanted to develop a scheme which the local residents would be proud of and which would have architectural significance for years to come. The site was vacant and the buildings were falling into disrepair and redevelopment was needed to ensure a sustainable future. They had engaged with planning and conservation officers from the beginning and identified which existing fabric could be redeveloped and carefully considered privacy and outlook concerns at the design stage. The separation distances exceeded the minimum required, window heights were low and screened and eaves were low to protect privacy. Meetings with neighbours had taken place, plans had been modified and the proposal would not adversely affect the tree or the neighbours' amenity. They shared the applicant's wish to retain the tree and had agreed to protect the tree during construction and re-build the boundary wall. All the parking was contained within the site and they would provide the requested road markings to improve the junction with the main road.

Members of the committee asked questions of Mr Richardson.

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

Decision

Application approved, subject to the following conditions, as the principal of residential development on the site was acceptable as was the impact on the character and appearance of the Conservation Area. The design and layout of the development, the car parking and access and the impact on surrounding amenity and the amenity of future occupiers was acceptable. The proposal was also acceptable in terms of its impact on landscaping and ecology, land stability and contamination matters, flood risk and archaeology. Overall the proposal was in accordance 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 following plans and specifications:
 Drawing No. A00 - Site Location Plan - Dec 2015
 Drawing No.B01 - Rev b - Proposed Ground Floor Plans & Site Plan - Nov 2015
 Drawing No.B02 - Rev b - Proposed First Floor Plans & Site Plan - Nov 2015
 Drawing No.B03 - Rev b - Proposed Roof Plans - Nov 2015
 Drawing No.B04 - Rev b - Proposed Elevations - Dec 2015
 Drawing No.B05 - Rev b - Proposed Elevations - Dec 2015
 Drawing No.B06 - Rev b - Proposed Elevations - Dec 2015
 Drawing No.B07 - Rev b - Proposed Elevations - Dec 2015
 Drawing No.B08 - Rev c - Proposed Elevations - Dec 2015
 Risk Assessment & Bat Survey, Prepared by Stuart Johnson Sc MSc MCIEEM
 Consultant Ecologist, 23/11/2015
 Arboricultural Survey, Prepared by Stuart Johnson BSc MSc MCIEEM Consultant
 Ecologist, 8/12/2015
 Phase 1: Desk Top Study Report and Coal Mining Risk Assessment Report, arc
 environmental, 9/10/2015
 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 development shall take place to the existing buildings or on
 construction of any new buildings until a schedule and/or samples of all materials and
 finishes, including surfacing materials and rainwater goods, slate, walling including
 new lime mortar sample 2m x 1.5m high, paving, free standing walls, timber screens,
 shared surface material 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 policies
 E16/2, H11 and DCPS No.9 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding Condition 1, prior to the commencement of construction works, plans
 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.

5. 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.

6. No development shall commence above damp proof course until a 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: In the interests of effective surface water management in accordance with the advice in the National Planning Policy Framework.
7. 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.
8. Prior to the occupation of the dwellings hereby approved a detailed scheme to provide appropriate noise mitigation measures to all habitable rooms must be submitted to and approved in writing by the Local Planning Authority. The scheme shall assess the impact of any external noise sources (including road traffic noise and other external noise sources) and the mitigation measures shall give a resultant noise level of below 30 decibels and maximum noise level of 45dB for bedrooms and 35 decibels for living rooms in accordance with BS8233. The scheme must provide full details of all necessary sound attenuation measures, such as acoustic glazing and passive ventilation to all windows. Thereafter all works must be carried out in accordance with the approved details and retained at all future times.
Reason: To protect the occupiers of the approved dwellings from noise and odour disturbance in accordance with policies E3, H11 and H13 of the North Tyneside Unitary Development Plan 2002.
9. The development shall be carried out in accordance with Mitigation Measures set out in Section E of the submitted Risk Assessment and Bat Survey dated 23.11.2015.
Reason: In the interest of biodiversity and having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002.
10. Notwithstanding condition 1, prior to the construction of any dwelling above ground level details of bird and bat boxes of a brick design and their location shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with an agreed timescale.
Reason: In the interests of wildlife protection having regard to policy E12/6 of the North Tyneside Unitary Development Plan 2002.
11. 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 H11 of the North Tyneside Unitary Development Plan 2002.

12. No part of the development shall be occupied until an area has been laid out within the site for cars 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 H11 of the North Tyneside Unitary Development Plan 2002.
13. 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 H11 of the North Tyneside Unitary Development Plan 2002.
14. No development shall commence until a scheme for improved road markings at the site access 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 and before the development is occupied.
Reason: This information is required at the outset in order to ensure that a safe access is in place prior to construction works starting on site in accordance with Policy H11 of the North Tyneside Unitary Development Plan 2002.
15. 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.
16. There shall be no demolition activity or vehicle movements to, from or within the site outside the hours of 0800-1800 Monday to Friday, 0800-1400 Saturday with no working on Sundays or Bank Holidays.
Reason: To safeguard the amenities of neighbouring residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and National Planning Policy Framework.
17. 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 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.

- 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. Any pruning works to trees are to be undertaken in accordance with BS 3998 (2010) 'Recommendations for Tree Work' and the submitted Arboricultural Survey, dated 08.12.2015.

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.

20. Notwithstanding the details submitted in the Arboricultural Survey, undertaken by Stuart Johnson, Consultant Ecologist, dated 08.12.2015, the trees identified as T5 Sycamore and T8 Oak must be retained.

Reason: In order to safeguard existing trees, the amenity of the site and locality, and in the interests of good tree management as no evidence has been provided to justify

the removal of these trees, having regard to Policy E14 of the North Tyneside Council Unitary Development Plan 2002.

21. Prior to the commencement of any works, full details must be submitted to and approved in writing of how the tree roots to the tree identified as T9 sycamore will be protected during the course of the demolition and construction works. The details will include any structural requirements such as 'bridging over' tree roots with lintels etc.
Reason: This is required from the outset of development in order to safeguard the protected tree and to ensure that appropriate measures are taken to ensure that the tree roots will not result in any damage to the proposed development having regard to policies H11 and E14 of the North Tyneside Council Unitary Development Plan 2002.
22. No demolition/development shall take place until a programme of archaeological building recording has been completed of the farmhouse, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development work taking place.
Reason: To provide an archive record of the historic building or structure and to accord with paragraph 141 of the NPPF, and saved UDP policy E19/6.
23. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.
Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 141 of the NPPF and saved UDP policy E19/6.
24. The buildings shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition 23 has been submitted to and approved in writing by the Local Planning Authority.
Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 141 of the NPPF and saved UDP policy E19/6.
25. Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - a) The submission of a scheme of intrusive site investigations for approval;
 - b) The undertaking of that scheme of intrusive site investigations;
 - c) The submission of a report of findings arising from the intrusive site investigations;
 - d) The submission of a scheme of remedial works for approval; and
 - e) 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: This is required from the outset of development in order 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.

26. Prior to occupation of any part of the approved development full details of how the boundary wall between the application site and No.42 shall be raised to a height of 2m from the ground floor level of the application site adjacent to this boundary shall be submitted to and approved by the Local Planning Authority in writing. The details shall include a site plan showing the extent of the wall in question, elevational drawings of the proposed wall and full specifications of materials and finishes. The wall shall then be constructed in accordance with the approved details prior to occupation of the development and retained thereafter.

Reason: To protect the privacy of the occupants of No.42 Front Street in accordance with policy H11 of the UDP.

27. Prior to the installation of any mechanical ventilation and boiler flues, i.e. from kitchens and bathrooms, full details must be submitted to and approved in writing by the Local Planning Authority. Such details shall include the terminal type and elevational drawings. The development shall be carried out in accordance with the approved details.

Reason: To preserve the character and appearance of the Conservation Area in accordance with policy E16/2 and DCPS No.8 of the North Tyneside Unitary Development Plan 2002.

28. Prior to the installation of any external lighting to the approved development, full details of the lighting must be submitted to and approved in writing by the Local Planning Authority. Such details shall include positions and locations of all lighting. 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 E16/2, H11 and DCPS No.8 of the North Tyneside Council Unitary Development Plan 2002.

29. Prior to the first occupation of the approved development and the installation of any of the following full details shall be submitted and approved in writing by the Local Planning Authority:

- a) Details of all external decoration
- b) Details of any signage
- c) Details of external timber fences and screens
- d) Details of contemporary flues
- e) Details of garden storage and bin stores
- f) Details of new flush conservation rooflights
- g) Existing agricultural ventilation slits glazed - full details
- h) Full joinery details of new windows to farmhouse
- i) Full details of any external meter boxes - electricity and gas
- j) The development shall then be completed in accordance with the approved details and retained thereafter.

Reason: In order to preserve and enhance the character and appearance of the Conservation Area in accordance with policy E16/2 of the UDP.

30. Notwithstanding the approved plans, no development shall take place to the existing buildings or on construction of any new buildings until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a) FARM HOUSE (Property No. 1) - Large scale elevation drawings for the restored rear elevation
 - b) FARM HOUSE (Property No. 1) - Large scale elevation and details of new contemporary glazed opening and glazing system following removal of small rear extension
 - c) FARM HOUSE (Property No. 1) - Full joinery details of new windows to farmhouse
 - d) CART SHED (Property No. 2) - large scale details of new glazed opening and glazing system and full details of visual screening to end bay adjacent to site entrance
 - e) LOW BARN (Property No. 3) - large scale details of new glazed opening and glazing system and full details of visual screening to gable end wall
 - f) LOW BARN (Property No. 3) - new openings in existing wall (large scale details)
 - g) LOW BARN (Property No. 3) - large scale elevation drawings and details for the new contemporary extension
 - h) STABLES (Property No. 4) - large scale details of new glazed opening and glazing system together with large scale elevation and details of the new large oak sliding door and overhead track
 - i) HIGH BARN (Property No. 5) - large scale details including glazing system to new band of glazing (frameless system) and full details of the raising of the wall heads at eaves
 - j) THE COURTYARD (Property No. 6) - full details of new gate in reinstated pedestrian access

The development shall then be carried out in full accordance with the approved details prior to occupation, and retained thereafter.

Reason: In order to protect and enhance the character of the Conservation Area and ensure that the development is of an acceptable standard in accordance with policies E16/2 and H11 of the North Tyneside Unitary Development Plan 2002.

31. Notwithstanding the approved plans, the first floor windows to the east facing elevation of Unit 6 shall be obscure glazed and fixed shut to a height of 1.8m above floor level and retained thereafter.

Reason: In order to protect the amenity of the neighbouring occupants to the east, having regard to H11 of the North Tyneside Unitary Development Plan 2002.

32. Property 6 shall not be occupied until full details of the boundary treatment to be located along the shared boundary between the application site and No.42 Front Street has been submitted to and approved in writing by the Local Planning Authority. The approved fence or wall shall then be installed prior to first occupation of this dwelling and thereafter retained at the height and position as approved.

Reason: In the interests of the amenities and privacy of the occupiers of adjoining properties, and the occupiers of the properties the subject of this permission having regard to policy H11 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.

Application No: **15/00789/FUL** Ward: **Whitley Bay**
 Application Type: Full planning application
 Location: Whitley Bay Metro Station, Station Road, Whitley Bay, Tyne And Wear
 Proposal: Change of use for a community market at Whitley Bay Metro Station on weekends and public holidays, and change of use of Unit 2 to a market office and music rehearsal space Monday - Sunday (revised description 24.02.2016)
 Applicant: Station Masters Centre Ltd.

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 proposed use was acceptable as was the impact of the development on neighbours' living conditions and the highway network. Overall the development was in accordance 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 following approved plans/details:

Location Plan
 Site Plan
 Supporting Document entitled 'Response to Planners'.

Reason: To ensure that the development as carried out does not vary from the approved plans and details.

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 use hereby permitted shall be discontinued on or before one year from the date of this planning permission.
 Reason: It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality has been assessed having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

4. 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 and H13 of the North Tyneside Unitary Development Plan 2002.

5. No drums, other than electronic drums on which the volume can be restricted, shall be played in the music room. All speakers must be oriented to face the direction of

the metro line, and during the playing of instruments or any recording, the doors and windows to the room must be closed.

Reason: In order to protect the residential amenity of nearby occupants in accordance with Policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.

6. Prior to the first occupation/use of Unit 2 for the purpose of music rehearsals or the operation of any sound reproduction equipment, full details of a scheme of mitigation for a reduction in noise breakout from the window (e.g. internal secondary glazing) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, prior to the use of the room for music rehearsal purposes or the operation of any sound reproduction equipment, the scheme shall be implemented in accordance with the approved details and retained at all future times.
Reason: In order to protect the amenity of nearby residents from noise disturbance as a result of noise breakout from the single glazed window in accordance with Policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.
7. Prior to the first occupation/use of Unit 2 for the purpose of music rehearsals or the playing of any sound reproduction equipment, contact must be made with the Council's Environmental Health team in order to establish an agreed maximum noise limit. A noise limiter set at the agreed maximum noise limit must then be fitted to the electrical circuit prior to the use of Unit 2 for the purposes of music rehearsals or the playing of any sound reproduction equipment. Thereafter, the noise limiter shall not be tampered with and shall remain set at the agreed limit at all future times.
Reason: In order to protect nearby residents from noise disturbance in accordance with policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.
8. Unit 2 shall not be used for music rehearsal purposes or the playing of any sound reproduction equipment outside the hours of 08:00 - 19:00 Monday to Saturday and 09:00 - 19:00 Sundays and Bank Holidays, and shall not be used as an office outside the hours of 08:00 - 22:00 Monday to Sunday.
Reason: In order to protect the residential amenity of nearby occupiers in accordance with policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.
9. Prior to commencement of any part of the approved use, a scheme for the management of all refuse from the market and music rehearsal space, 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.
Reason: In the interests of highway safety and residential amenity in accordance with policies E3 and H13 of the North Tyneside Unitary Development Plan 2002.
10. Prior to the first operation of the approved market a scheme for monitoring the impact of the development on the existing parking provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the scope and timing of the parking surveys and shall focus on the following streets:
 - a) Station Road
 - b) Victoria Terrace
 - c) Metro off-street car park
 - d) Metro on street parking
 - e) Plessey Crescent
 - f) Felton Avenue
 - g) Etal Avenue
 - h) Dilston Avenue

Thereafter the monitoring shall be carried out in accordance with the approved details.

Reason: In order to ensure that the approved use does not result in a severe residual cumulative impacts of development in accordance with the NPPF.

11. Upon completion of the parking surveys required by condition 10, a report detailing the results shall be submitted to and approved in writing by the Local Planning Authority. The report shall also include any parking control measures deemed to be necessary to alleviate any overspill parking arising from the development, and the proposed method of implementation of the parking control measures. Thereafter, the parking control measures should be adhered to at all future times whilst the market is in operation.

Reason: In order to ensure that the approved use does not result in a severe residual cumulative impacts of development in accordance with the NPPF.

12. The market shall not be operated outside the hours of 10:00 - 16:00 on Saturdays, Sundays and Bank Holidays, and shall not be in operation at all on any other day.

Reason: In order to protect the residential amenity of nearby occupiers in accordance with policies E3 and H13 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.

Application No:	15/02018/FUL	Ward:	Killingworth
Application Type:	Full planning application		
Location:	Unit 2, The Mailing House, Wesley Drive, Benton Square Industrial Estate, Benton, Newcastle upon Tyne, NE12 9UP		
Proposal:	Change of use of site and buildings from storage and distribution use (B8) to car retail and preparation facilities (sui generis), including installation of new windows and external wall cladding, installation of new entrance steps and ramp and new canopy over existing east entrance door		
Applicant:	McDougall and Breen Ltd		
Agent:	R & K Wood Planning LLP		

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 whilst the proposed use did not conform to policy LE1/4 it would bring a vacant unit back into use and provide employment which in conjunction with the acceptable impact on neighbouring amenity and highway safety meant the principle of development was acceptable. The impact of the development on the character and appearance of the surrounding area was acceptable

and overall the proposal was in accordance 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. 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 LE1/7 of the North Tyneside Unitary Development Plan 2002.
4. The premises shall only be open for business between the hours of 09:00 - 18:00 Monday to Friday, 09:00 - 17:00 Saturdays and 10:30-16:30 on any Sunday or Bank Holiday.
Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.
5. 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 LE1/7 and H13 of the North Tyneside Unitary Development Plan 2002.
6. Notwithstanding Condition 1, prior to the installation of any new plant and equipment, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall be carried out in accordance with BS4142:2014. The rating level shall not exceed the existing background noise level by more than 5dB at nearest sensitive receptor of Bede Close and Lime Gardens. Thereafter the plant and equipment shall be installed in accordance with these agreed details.
Reason: To protect the occupants of nearby residential properties from noise and disturbance having regard to policy LE1/7 and H13 of the North Tyneside Unitary Development Plan 2002.
7. Notwithstanding Condition 1, prior to the installation of any new plant and equipment, a scheme for sound insulation materials to cover all new plant and equipment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the plant and equipment shall be installed in accordance with these agreed details and shall not be brought into use until the approved soundproofing has been implemented.
Reason: To protect the occupants of nearby residential properties from noise and disturbance having regard to policy LE1/7 and H13 of the North Tyneside Unitary Development Plan 2002.
8. Notwithstanding Condition 1, prior to the installation of any chimney or extraction to be provided in connection with the development details of the height, position, design and materials of this equipment 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.

9. Notwithstanding Condition 1, prior to the installation of any spray booth on the site details for the containment of solvent odours from spraying activities shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented prior to the spray booth being brought into use and permanently retained.

Reason: To protect the amenities of the occupiers of residential accommodation in the vicinity having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

10. 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) a statement of frequency of use, and the hours of illumination;
- b) 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;
- c) details of the number, location and height of the proposed lighting columns or other fixtures;
- d) the type, number, mounting height and alignment of the luminaires;
- e) the beam angles and upward waste light ratio for each light;
- f) 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
- g) 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.

11. 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.

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.

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:	16/00043/FULH	Ward:	Monkseaton North
Application Type:	Householder full application		
Location:	24 Grasmere Crescent, Whitley Bay, Tyne and Wear NE26 3TB		
Proposal:	Single storey flat roof rear extension. Loft conversion with 2no dormer windows to the rear and 1no dormer window to the front, the existing roof to be stripped and new roof added and first floor cantilevered extension to the side of the property to provide stair access		
Applicant:	Mr John Fitzpatrick		
Agent:	Building Design Associates		

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 proposed extension was acceptable in terms of its impact on neighbouring residential amenity, the character of the host dwelling and the visual amenity of the streetscene. The single storey extension, cantilevered first floor side extension and front dormer window were acceptable. Overall the development was in accordance with the principles and policies of the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002. It was noted that the Local Planning Authority could not exercise control over the proposed rear dormer as that was permitted development and did not require permission.

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 specified on the application form and approved plans.

Reason: To secure a satisfactory external appearance having regard to policies H11 and DCPS No.9 of the North Tyneside Unitary Development Plan 2002.

4. No (further) windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without prior, express planning permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining properties having regard to policy H11 and DCPS No.9 of the North Tyneside Unitary Development Plan 2002.

5. Notwithstanding any other details shown on the plans hereby approved, the window(s) and any other glazing to be inserted in the north western elevation of the first floor cantilevered side extension shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy H11 and DCPS No.9 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:	15/01910/FULH	Ward:	Preston
Application Type:	Householder full application		
Location:	17 Camp Terrace, North Shields, Tyne and Wear NE29 0NE		
Proposal:	Two storey and single storey rear extension (amended plans 07.03.16)		
Applicant:	Mrs Lucy Thompson		

Prior to the consideration of the application, the planning officer circulated an addendum which detailed an email sent to the Chair and Deputy Chair of Planning Committee on 6 March 2016. The email raised concerns regarding discrepancies in the committee report and the addendum included officer's response to the concerns. Due to its length, the Chair allowed the committee members five minutes to read and digest the information.

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' impact on residential amenity, including loss of light, outlook and privacy, was acceptable as was the impact on the appearance of the site and the street scene. Whilst the extension would be visible from the rear lane, the impact on the character and appearance of the Conservation Area was acceptable and the development was in accordance 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 (amended plans received 07.03.16).

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 the details shown on the approved plans, before development commences the following details must be submitted to and agreed in writing by the LPA:

a) Details of the brick to be used to match the existing house.

b) Details of natural slate roof covering to match the main body of the house.

c) Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interests of the preserving and enhancing the character of the conservation area, having regard to Policy E16/2 and DCPS No.8 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding the details shown on the approved plans, before the roof of the extension hereby permitted is constructed the following details must be submitted to and agreed in writing by the Local Planning Authority:

a) Details of the proposed roof lights which shall be conservation style and flush fitting. Thereafter the roof light shall only be constructed in accordance with the approved details.

Reason: In the interests of the preserving and enhancing the character of the Conservation Area; having regard to Policy E16/2 and DCPS No.8 of the North Tyneside Unitary Development Plan 2002.

5. 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 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: **15/02002/FULH** Ward: **Chirton**
 Application Type: Householder full application
 Location: 2 Roxby Gardens, North Shields, Tyne and Wear NE29 7BW
 Proposal: Single storey rear extension and porch extension to the front.
 (Resubmission)
 Applicant: Mr Ron Burgess
 Agent: Ian M Cook Architect

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 whilst the rear extension did not wholly comply with DCPS 9 of the North Tyneside Unitary Development Plan 2002, it was in accordance with policy H11 and overall the proposal's impact on residential amenity was acceptable. The impact of the design on the character and appearance of the area was acceptable and in accordance with policy LDD 11 of the North Tyneside Unitary Development Plan 2002. The mitigation measures for the contaminated land were suitable and overall the development was in accordance 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. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
4. No (further) windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without prior, express planning permission of the Local Planning Authority.
Reason: To safeguard the privacy of occupiers of the adjoining properties having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
5. 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 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.