

Planning Committee

19 April 2016

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

PQ66/04/16 Apologies

Apologies for absence were submitted by Councillors S Graham and D Lilly.

PQ67/04/16 Substitute Members

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

Councillor C Johnson for Councillor S Graham.

PQ68/04/16 Declarations of Interest and Dispensations

No declarations were made.

PQ69/04/16 Minutes

Resolved that the minutes of the meeting held on 29 March 2016 be confirmed as a correct record and signed by the Chair.

PQ70/04/16 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:	15/01934/OUT	Ward:	Weetslade
Application Type:	Outline planning application		
Location:	Land east of North Villas and north of Meadowbank, Dudley, Northumberland		
Proposal:	Outline planning permission for 150 residential dwellings including access (Updated drainage 4.1.16 and updated planting strategy 8.1.16)		
Applicant:	North Tyneside Council		
Agent:	Capita		

The Planning Officer presented the application to the committee.

The Chair announced to the committee that although speaking rights had been requested and granted to an objector, he had been unable to attend the meeting and no speaking would be permitted on the application. The Chair drew the committee's attention to the addendum which had been circulated on 15 April 2016 which contained the speakers' comments against the application and related to access and egress; the S106 contributions; health and safety concerns; Newcastle Airport's objections; and tree and plant maintenance.

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

During discussion it was agreed that when the reserved matters application was ready to be determined, the Chair of Planning Committee be requested to consider granting a fact-finding site visit to allow Members of the committee the opportunity to view the location themselves. In addition, clarification was sought on the location of the allotments referred to in the S106 planning obligations and the wording of the relevant line was amended to take out the reference to the Lakeside Centre.

Decision

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

- a) 5% affordable housing on site;
- b) 5 employment and training apprenticeships;
- c) £72,600 health contribution to wards local practices;
- d) £29,250 towards strategic and semi-natural greenspace; including off site mitigation;
- e) £54,075 towards children's equipped play space within the vicinity of the site
- f) £41,250 education contribution towards primary education within the vicinity of the site;
- g) £27,300 education contribution towards secondary education within the vicinity of the site;
- h) £8,000 towards allotment improvements on local authority land; and
- i) £50,000 Travel Plan Bond.

(minded to grant recommended)

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:	16/00193/FUL	Ward:	Cullercoats
Application Type:	Full planning application		
Location:	16 John Street, Cullercoats, Tyne and Wear NE30 4PL		
Proposal:	Demolition of existing building and erection of apartment block containing 10 apartments (Re-submission)		
Applicant:	Mr Mark Holmes		

Agent: Jon Tweddell Planning Limited

The Planning Officer presented the application to the committee.

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

During discussion ward councillors commented on the lack of consultation regarding where the S106 planning obligations would be allocated and it was agreed that the word 'vicinity' be added to allow for more flexibility when the final allocation was made and that ward councillors would be consulted prior to that decision being made.

Decision

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

- a) Improvements towards existing play facilities in the vicinity (£3,605); and
- b) Improvements towards parks within the vicinity (£2,290).

(minded to grant recommended)

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

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

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No:	15/01999/OUT	Ward:	Collingwood
Application Type:	Outline planning application		
Location:	Moorhouses covered reservoir and land east of 11 Tiverton Avenue, Billy Mill Lane, North Shields, Tyne and Wear		
Proposal:	Residential development (Use Class C3) with associated access.		
Applicant:	Northumbrian Water Ltd.		
Agent:	Nathaniel Lichfield and Partners		

The Planning Officer presented the application to the committee.

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

Decision

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

- a) Neighbourhood Parks and Borough Parks
Formula for contribution =
1 bed – (£212) x no of 1 bed dwellings
2 bed – (£212) x no of 2 bed dwellings
3 bed – (£439) x no of 3 bed dwellings
4 bed – (£579) x no of 4 bed dwellings
5+ bed – (£640) x no of 5+ bed dwellings
- b) Pay 50% of total contribution towards existing park improvements at Northumberland Park and Silverlink Biodiversity Park.
- c) Strategic and local semi natural green space
Formula for contribution =
1 bed - £117 x no of 1 bed dwellings
2 bed - £117 x no of 2 bed dwellings
3 bed - £182 x no of 3 bed dwellings
4 bed - £240 x no of 4 bed dwellings
5+ bed - £266 x no of 5+ bed dwellings
- d) Pay 50% of total contribution towards existing sites at Silverlink Biodiversity Park Local Wildlife Site & Nature Reserve.
- e) Children's Equipped Play space
Formula for contribution =
1 bed – (£463) x no of 1 bed dwellings
2 bed – (£463) x no of 2 bed dwellings
3 bed – (£772) x no of 3 bed dwellings
4 bed – (£772) x no of 4 bed dwellings
5+ bed – (£772) x no of 5+ bed dwellings
- f) Pay 50% of total contribution towards improvements to existing play provision at Hill Top Park.
- g) Allotments
£2,700 contribution towards 1 allotment plot
- h) Sports Pitches
Formula for contribution =
1 bed – (£487) x no of 1 bed dwellings
2 bed – (£487) x no of 2 bed dwellings
3 bed – (£758) x no of 3 bed dwellings
4 bed – (£999) x no of 4 bed dwellings
5+ bed – (£1105) x no of 5+ bed dwellings
Pay 50% of total contribution towards improvements to existing pitch provision within the vicinity of the site.

- i) Swimming Pool
 Formula for contribution =
 1 bed – (£134) x no of 1 bed dwellings
 2 bed – (£134) x no of 2 bed dwellings
 3 bed – (£209) x no of 3 bed dwellings
 4 bed – (£276) x no of 4 bed dwellings
 5+ bed – (£305) x no of 5+ bed dwellings
- j) Pay 50% of total contribution towards improvements at Tynemouth Pool.
- k) Sports Hall
 Formula for contribution =
 1 bed – (£265) x no of 1 bed dwellings
 2 bed – (£265) x no of 2 bed dwellings
 3 bed – (£395) x no of 3 bed dwellings
 4 bed – (£521) x no of 4 bed dwellings
 5+ bed – (£577) x no of 5+ bed dwellings
- l) Pay 50% of total contribution towards improvements to existing indoor sports facilities and services at Tynemouth pool.
- m) Education
 Pay contribution towards creating new capacity within nearby secondary school.
 Formula for contribution = £19,000 per additional pupil yield generated by the development.
- n) Employment and Training
 Creation of two apprenticeships or a financial contribution based on the following formula of £536 per dwelling.
- o) 50% of total contribution payable.
- p) Affordable housing
 25% affordable housing provision on-site.

(minded to grant recommended)

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

- a) Closure of unused highway access points;
- b) Upgrade of footpaths fronting the site;
- c) Upgrade of footpath to north of site;
- d) Associated street lighting;
- e) Associated drainage;
- f) Associated road markings;
- g) Associated Traffic Regulation Orders; and
- h) Associated street furniture and signage.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development

and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No: **15/02056/FUL** Ward: **Collingwood**
Application Type: Full planning application
Location: Fields between Fairfield Green and Bywell Grove, Whitley Bay, Tyne and Wear.
Proposal: Improvement of surface water management by the upgrading of existing ditches, the installation of new ditches and the installation of 3 new storage ponds with approximately 9000m³ of storage (Amended description).
Applicant: North Tyneside Council
Agent: Capita

The committee received a report on the above application and Members had the opportunity to ask questions and make comments.

Decision

Application approved, subject to the following conditions, as whilst the site was safeguarded land the principle of development was acceptable as it would not significantly affect the open nature of the land or cause significant visual intrusion and would assist in alleviating flooding issues in the local area. The proposal's impact on amenity, ecology, landscape, highways, ground conditions and archaeology was acceptable due to the recommended conditions and was in line 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 and specifications:
 - Application form
 - Site Layout MGAP-CAP-FG-GEN-DR-C-1012
 - Schematic Drawing MGAP-CAP-FG-GEN-DR-C-1020
 - Site Boundary MGAP-CAP-FG-GEN-DR-C-1022
 - Storage Areas MGAP-CAP-FG-GEN-DR-C-2013
 - Vegetation Measures MGAP-CAP-FG-HSC-DR-C-6015
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, 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, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the

development). The scheme must include an site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policies H13 of the North Tyneside Council Unitary Development Plan 2002

4. No development shall commence until a scheme to carry out condition surveys of the proposed construction route has been submitted to and approved by in writing the Local Planning Authority. This scheme shall include regular highway inspections prior to, during & after the duration of the works and the developer will be required to repair and reinstate any damage to highways attributed to construction traffic.
Reason: In the interests of highway safety.
5. Notwithstanding the details submitted, a programme for maintenance of the development including details of access arrangements shall be submitted to and approved in writing by the Local Planning Authority, thereafter, this programme of maintenance shall be implemented in accordance with the approved details.
Reason: In the interests of surface water management
6. 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.
7. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.
Reason: To safeguard the amenity of nearby residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and National Planning Policy Framework.
8. Notwithstanding the plans approved, a landscaping scheme must be submitted to the Local Authority for approval prior to development commencing. The landscaping scheme shall include full details of:
 - new native tree and hedge planting in areas to be agreed;
 - wild bird cover mixes around the storage ponds;
 - reedbed planting and damp wildflower meadow mix within the flood storage areas proposed pruning works

Reason: In the interests of amenity and ecology and to ensure a satisfactory standard of landscaping.

9. 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 ecology and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.
10. Prior to development commencing, details of protective measures for the attenuation basins and long grassland areas must be submitted to the Local Planning for approval. Thereafter the measures must be implemented in accordance with the details agreed unless otherwise agreed in writing.
Reason: In the interests of amenity and ecology and to ensure a satisfactory standard of landscaping.
11. Areas suitable for supporting nesting birds will not be cleared during the bird breeding season (March to August inclusive) unless checking surveys by a suitable qualified ecologist have ascertained that active nests are absent.
Reason: In the interests of ecology and biodiversity.
12. A badger walkover survey must be undertaken and submitted to the Local Authority immediately prior to works commencing to ensure there are no impacts on this species.
Reason: In the interests of ecology and biodiversity.
13. An otter/water vole walkover survey must be undertaken and submitted to the Local Authority immediately prior to works commencing to ensure there are no impacts on this species.
Reason: In the interests of ecology and biodiversity.
14. Prior to development commencing, full details of protection measures for trees, scrub and hedgerows (Tree Protection Method Statement) must be submitted to the local authority for approval to ensure engineering work does not impact on existing planting and root zones. Thereafter the development must be carried out in accordance with the details agreed.
Reason: In the interests of ecology and biodiversity.
15. No ground works or development shall commence until a programme of archaeological fieldwork (to include geophysical survey, evaluation trenching and where appropriate mitigation excavation and/or watching brief) has been completed. This shall be carried out in accordance with a specification provided 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, in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6
16. The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 15 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, in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

17. The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

18. No ground works or development work shall take place until temporary fencing has been erected to protect the site of the prehistoric enclosure area from disturbance by construction machinery in accordance with a specification agreed with the Local Planning Authority. The approved scheme for the erection, maintenance and subsequent removal of the fencing shall be implemented.

Reason: To ensure the preservation in-situ of archaeological features.

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:	16/00149/FUL	Ward:	Whitley Bay
Application Type:	Full planning application		
Location:	Spanish City Dome, Marine Avenue, Whitley Bay, Tyne and Wear NE26 1BG		
Proposal:	Change of use and refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows		
Applicant:	North Tyneside Council		
Agent:	ADP LLP		

The committee received a report on the above application and Members had the opportunity to ask questions and make comments.

Decision

Application approved, subject to the following conditions, as the principle of the proposed uses and associated development was acceptable and appropriate to a town centre in accordance with policies LE2/1(4) and S11. The impact of the development upon the character and appearance of the Dome and surrounding areas was acceptable as was the impact upon neighbours' living conditions, particularly with regard to noise and disturbance.

The provision of car parking and access was sufficient and acceptable. The proposal overall complied with the policies and principles in the National Planning Policy Framework and the North Tyneside Unitary Development Plan.

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

SBCMM - L1206 4 Site Elevation West

SBCMM-ADP-00-00-DR-A-1000-S2-P1_GA - Demolition - GF & LGF Plan

SBCMM-ADP-00-00-DR-A-1025-S2-P2_GA - Proposed GF & LGF Plan

SBCMM-ADP-00-00-DR-A-1030-S2-P2_GA - Proposed GF & Mezzanine Plan

SBCMM-ADP-00-01-DR-A-1010-S2-P1_GA - Demolition - FF Plan

SBCMM-ADP-00-01-DR-A-1035-S2-P2_GA - Proposed - FF Plan

SBCMM-ADP-00-02-DR-A-1020-S2- P1_GA - Demolition - RF Plan

SBCMM-ADP-00-02-DR-A-1040-S2-P2_GA - Proposed - Roof Plan

SBCMM-ADP-00-XX-M3-A-1220-S2-P1_Elevation - Proposed North

SBCMM-ADP-00-ZZ-DR-A-1230-S2-P1_Elevation - Proposed East

SBCMM-ADP-00-ZZ-DR-A-1240-S2-P1_Elevation - Proposed South

SBCMM-ADP-00-ZZ-DR-A-1250-S2-P1_Elevation - Proposed West

SBCMM-ADP-00-ZZ-DR-A-1355-S2-P2_Section - Proposed BB

SBCMM-ADP-00-ZZ-DR-A-1356-S2-P1_Section - Proposed BB-1

SBCMM-ADP-00-ZZ-DR-A-3300-S2-P1_Window Type Drawing

SBCMM-ADP-00-ZZ-DR-A-3400-S2-P1_Ornate Plasterwork - Dome Bay

SBCMM-ADP-00-ZZ-DR-A-3410-S2-P1_Historic Cornicing and Ceiling to Dome

SBCMM-ADP-00-ZZ-DR-A-4502-S2-P1_Plaster work - Dome d1 Grid Cornice

SBCMM-ADP-00-ZZ-DR-A-4201-S2-P2_Windows - First Floor - Casement & Sash
Reinstatement and Refurbishment

MMD-339960-C-DR-00-XX-0031 - Spanish City Drainage Layout

MMD-339960-M-DR-A3-5700 - Roof Level Ventilation & Exhaust Details

POE/118/001 Rev A - General Landscape Layout

C3001 - Flanking Reflected Shopfront Restoration Proposal

C3002 - Central Shopfront Restoration Proposal - Elevation

C3003 - Flanking Reflected Shopfront Restoration Proposal - Elevation

A4400 Rev 2 - Loggia Rooflights West Loggia

A4501 Rev 2 - Dome Grand Order Details

L901 Rev 5 - Proposed Site Plan

L905 Rev 1 - Proposed Site Demolition Plan

L1201 Rev 1 - North Elevation Restoration Proposal

L1301 Rev 6 - Section AA

L1303 Re 5 - Section CC

L1305 Rev 5 - Sections East/West Extension

C3006 Rev 1 - First Floor Arcade Restoration Proposal - North Elevation

C3007 - First Floor Loggia Restoration Proposal - North Elevation

C3008 - Cupola To Towers restoration Proposal - North Elevation

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 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 LE2/1(4) of the North Tyneside Unitary Development Plan 2002.

4. The building shall not be occupied until a fully detailed landscaped scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter the landscaping scheme shall be implemented in accordance with the approved details.
Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy LE2/1(4) of the North Tyneside Unitary Development Plan 2002.

5. 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 LE2/1(4) of the North Tyneside Unitary Development Plan 2002.

6. No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.
Reason: In the interest of visual amenity and/or highway safety having regard to policy T6 of the North Tyneside Unitary Development Plan 2002.

7. The new means of access shall be sited and laid out in accordance with the approved drawing prior to first occupation of the Dome.
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy T6 of the North Tyneside Unitary Development Plan 2002.

8. Within 6 month(s) 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 policy T6 of the North Tyneside Unitary Development Plan 2002.

9. No part of the development shall be occupied 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 measures 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 visibility between the access and the existing public highway for the safety and convenience of the users of the highway and of the access having regard to policy T6 of the North Tyneside Unitary Development Plan 2002.

10. 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 policy T6 of the North Tyneside Unitary Development Plan 2002.

11. 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 T11 of the North Tyneside Unitary Development Plan 2002.

12. No part of the development shall be occupied until details of the 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.

13. 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, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include an site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees and residential amenity having regard to Policies T6 of the North Tyneside Council Unitary Development Plan 2002

14. 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 interest of highway safety in accordance with policy T9 of the North Tyneside Unitary Development Plan 2002.

15. Prior to occupation of the development a service management plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter this service management plan shall be carried out in accordance with the agreed details.
Reason: To ensure adequate parking facilities for the district centre and in the interests of highway safety in accordance with policy T6 of the North Tyneside Unitary Development Plan 2002.

16. The development hereby permitted shall be carried out in accordance with the details set out in the submitted Travel Plan.
Reason: To accord with the advice in NPPF regarding sustainable transport.

17. Prior to the occupation of the development a scheme for the upgrade of roads and footways on the Promenade to the frontage of the site shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include;
Upgrade of existing road & footpaths;
Associated Drainage;
Associated street lighting
Associated road markings
Associated signage

Thereafter this scheme shall be implemented in accordance with the approved scheme.

Reason: To improve pedestrian and cycle routes to the front of the site in accordance with policies T8 and T9 of the North Tyneside Unitary Development Plan 2002.

18. No development shall commence 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 order to ensure adequate drainage in accordance with the advice in NPPF. This needs to be pre-commencement to ensure that the details are submitted and approved prior to the units being occupied in order to protect them from flooding.

19. 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.

20. There shall be no demolition activity or vehicle movements to, from or within the site outside of the hours of 0800-1800 Monday to Friday, 0800-1400 Saturday with no working on Sundays of 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.

21. No part of the Dome shall be occupied until details of the air ventilation systems for that part of the building have been submitted to and approved in writing by the Local

Planning Authority. Thereafter the scheme shall 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 the residential accommodation in the vicinity having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

22. No part of the Dome shall be occupied until details of any refrigeration plant to be installed for that part of the building have been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall 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 the residential accommodation in the vicinity having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

23. No part of the Dome shall be occupied until details of any odour suppression system for the arrestment of odours for that part of the building have been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall 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 the residential accommodation in the vicinity having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

24. 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.

25. Deliveries to and from the loading bays shall be restricted to 07:30 hours and 22:00 hours.

Reason: In order to protect the amenities of neighbouring residential properties in accordance with policy H13 of the North Tyneside Unitary Development Plan 2002.

26. Prior to works commencing a bat method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall only proceed in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with policy E12/6 of the North Tyneside Unitary Development Plan 2002.

27. Works to the Dome shall not be undertaken within the bird breeding season (March - August inclusive) unless a checking survey by a suitably qualified ecologist has confirmed the absence of nesting birds has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with policy E12/6 of the North Tyneside Unitary Development Plan 2002.

28. No part of the Dome shall be occupied until details of a taxi rank have been submitted to and approved in writing by the Local Planning Authority. Thereafter the taxi rank shall be installed in accordance with the approved details and retained thereafter.

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

29. Prior to the commencement of the use, a noise scheme must be submitted to and approved in writing by the Local Planning Authority providing details of the mitigation measures to be carried out to prevent noise breakout particularly with regard to amplified or live music. The scheme must include details of an appropriate air conditioning system to protect against windows being opened during live, amplified music activities and other leisure activities giving rise to impact noise.

Reason: In order to protect the amenity of nearby residents, having regard to Policy H13 of the North Tyneside Unitary Development Plan.

30. The development hereby permitted shall be carried out in accordance with the Report on Preliminary (Phase 1) Investigation dated September 2015 and prepared by Ian Farmer Associated limited and Report on Ground Investigation, dated September 2015 and prepared by Ian Farmer Associates Limited.

Reason: To address the coal mining legacy issues present on the application site in accordance with the advice in NPPF.

Resolved that the Head of Law and Governance and the Head of Environment and Leisure be granted delegated authority to undertake all necessary procedures under sections 247 and 257 of the Town and Country Planning Act 1990 to secure the following highway improvements by virtue of section 278 of the Highways Act 1980:

- a) Stop up the highway within the site that is no longer required; and
- b) Upgrade footpaths surrounding the site and the former Promenade to the frontage of the site.

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:	16/00150/LBC	Ward:	Whitley Bay
Application Type:	Listed building consent		
Location:	Spanish City Dome, Marine Avenue, Whitley Bay, Tyne and Wear NE26 1BG		
Proposal:	Listed building consent for the refurbishment of the dome, including two extensions to the east and west elevations to include a new visitors entrance, an accessible lift and feature stair. First floor extension to the ground floor roof. Reinstatement of previously removed 1910 historic features, including new cupolas to the existing towers, loggias to both terraces at first floor level. Reinstatement of shopfronts, doors and windows and the removal of the central floor area within the dome at first floor level.		
Applicant:	Business and Economic Development, North Tyneside Council		
Agent:	ADP LLP		

The committee received a report on the above application and Members had the opportunity to ask questions and make comments.

Decision

The committee was minded to grant, with the recommended conditions, the listed building consent and refer the application to the Secretary of State for determination as the impact of the proposed work would not adversely affect the Dome's special architectural or historical interest and was in accordance with the National Planning Policy Framework and Policy E17/3 of the North Tyneside Unitary Development Plan 2002.

PQ71/04/16 Chair's Announcement

The Chair announced that the meeting was Councillor S E Mortimer's last meeting as a Member of the Council. He thanked Councillor Mortimer for her many years service on Planning Committee as both a member of the committee and as its Chair and wished her well for her retirement.

This was endorsed by all present.