

(Note: These minutes are subject to confirmation at the next meeting of the Planning Committee scheduled to be held on 2 August 2016.)

## **Planning Committee**

**12 July 2016**

Present: Councillor T Mulvenna (Chair)  
Councillors J M Allan, A Arkle (part),  
L Darke, S Graham, M A Green, E Hodson,  
Janet Hunter (part), John Hunter, C Johnson,  
P Mason, and J O'Shea (part).

### **PQ07/07/16 Apologies**

Apologies for absence were submitted by Councillors F Lott and D McMeekan.

### **PQ08/07/16 Substitute Members**

There were no substitute members appointed.

### **PQ09/07/16 Declarations of Interest and Dispensations**

During consideration of Planning Application 16/00326/FUL, Silverbirch Hi-Tech Units, Mylord Crescent, Camperdown Industrial Estate, Councillor J O'Shea declared a non-registerable personal interest, withdrew from the meeting and took no further part in the discussions or voting on the matter because his daughter was employed by partners to the development, The Riverside Group.

### **PQ10/07/16 Minutes**

**Resolved** that the minutes of the meeting held on 14 June 2016 be confirmed as a correct record and signed by the Chair.

### **PQ11/07/16 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: **15/01527/FUL** Ward: **Battle Hill**  
Application Type: full planning application  
Location: Land to rear and east side of Westholme Farm Social Club, Mullen Road, Wallsend  
Proposal: Construction of 6no terraced twin houses with associated access road and landscaping  
Applicant: Oak Tree Developments

Councillor J O'Shea joined the meeting during consideration of this item and so took no part in its consideration.

The Planning Officer presented details of the application to the committee.

Mr A Train, Chairman of Westholme Farm Social Club, addressed the committee on behalf of the club, who had made representations objecting to the application.

In the light of the issues raised by Mr Train, a member of the committee proposed that the matter be deferred to the next meeting of the committee to be held on 2 August 2016 so that the committee may undertake a fact finding site visit.

#### **Decision**

The application be deferred until the next meeting of the Planning Committee to be held on 2 August 2016 to enable the committee to undertake a fact finding site visit.

Application No: **16/00988/FULH** Ward: **Valley**  
Application Type: Householder Full application  
Location: 3 East Farm Mews Backworth NEWCASTLE UPON TYNE NE27 0FB  
Proposal: Brick up front and rear of existing car port and convert to provide kitchen  
Applicant: Mr Greg Lake

Addenda to the Planning Officer's report had been circulated to members of the committee both prior to the meeting and at the commencement of the meeting. They set out details of further representations received.

The Planning Officer presented details of the application to the committee.

Mr D Hall, resident of 5 East Farm Mews, who had objected to the application, was permitted to address the committee. Mr Hall stated that his home was 1 of 17 built on a farmyard site and he had been the first to occupy a property on the site in 2009. The unique stone and slate farm style construction within a conservation area had attracted Mr Hall to the development together with the associated planning constraints and restrictive covenant on car parking. The existing car ports were an integral part of the design of the buildings and to brick up the front and rear of the ports would be a radical change and would be incompatible with the East Farm Mews as a whole and with neighbouring properties. If the application were approved Mr Hall was concerned this would allow others to do the same and lead to 2 cars being parked in front of the property, contrary to the restrictive covenant. Nos 2-5 East Farm Mews were located within a cul-de-sac which was 4.8m wide with no turning circle. A three point turn could not be completed within the width of the road and it was impossible to reverse out of the street without the risk of a collision. Road users were likely to use Mr Hall's driveway as a means of reversing out of the street. Mr Hall therefore believed that the application if granted would be detrimental to the overall

development and the quiet and reasonable enjoyment of his home.

Mr L Maddison was permitted to address the committee on behalf of the applicant to respond to the points made by Mr Hall. Mr Maddison stated that the car port was not fit for purpose as it was not wide enough to accommodate the size of modern cars. He did not consider that the application would detrimentally affect the surrounding highways and he stated that No.s 11 and 12 East Farm Mews had previously been granted permission to make similar alterations. (When questioned, officers later confirmed that permission had been granted in relation to No.s 11 and 12 because car parking remained within the site of the properties.)

Members of the committee then asked questions of the officers and made comments. In doing so the committee gave particular consideration to the impact on the character and appearance of the Backworth Conservation Area, the amenity of neighbouring properties and on the surrounding highways.

### Decision

Application refused on the grounds that the proposal would not provide sufficient on site parking and it would displace a car onto the highway, which would have an adverse impact upon highway safety contrary to advice in NPPF, policy T11 of the North Tyneside Council Unitary Development Plan (2002) and LDD12 'Highways and Transport'.

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

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

Application No:	<b>16/00326/FUL</b>	Ward:	<b>Camperdown</b>
Application Type:	full planning application		
Location:	Silverbirch Hi Tech Units Mylord Crescent Camperdown Industrial Estate Camperdown NEWCASTLE UPON TYNE		

Proposal:	Proposed 40no. dwellings (10 no. 2 bed houses, 26 no. 3 bed houses and 4 no. 2 bed bungalows) with associated landscape and infrastructure works. Revised noise survey and house types submitted 27.5.16.
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Applicant:	Galliford Try Partnerships North
Agent:	Blake Hopkinson Architecture LLP

During consideration of this item Councillor J O'Shea declared a non-registerable personal interest. He withdrew from the meeting and took no further part in the discussions or voting on the matter because his daughter was employed by partners to the development, The Riverside Group.

Addenda to the Planning Officer's report had been circulated to members of the committee both prior to the meeting and at the commencement of the meeting setting out a revised set of proposed conditions and a revised landscaping plan.

The Planning Officer presented details of the application to the committee.

The committee asked questions of officers and made comments. In doing so the committee gave particular consideration to whether the principle of residential development on the site was acceptable having regard to the proximity of industrial premises to the north and west of the site. During its deliberations the Chair gave members of the committee permission to ask questions of the applicant's representatives who were present at the meeting so that they could provide clarification on the location of the windows to be fixed shut and set out details of the proposed Mechanical Ventilation Heat Recovery Systems.

Following the discussion, it was agreed that the proposed conditions requiring details of the acoustic glazing, ventilation system and non openable windows to be submitted to and approved by the authority prior to the commencement of the development and occupation of the dwellings were unnecessary.

### **Decision**

Application approved, subject to the conditions set out below, as the loss of employment land is acceptable and the proposal would create an acceptable residential environment for future occupiers that would avoid placing unreasonable restrictions upon existing businesses. The committee were also satisfied that the proposal was acceptable in terms of its layout, design, scale, density and massing, landscaping and biodiversity, car parking and access and other matters in accord with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application form.

- Location plan (Scale 1:1250)

- Existing site plan Dwg No. 100/11 Rev 2

- Existing site sections Dwg No. 100/12 Rev 2

- Proposed site plan Dwg No. 200/01 Rev 22

- Proposed external finishes Dwg No. 700/02 Rev 5

- Proposed sections and visualisations Dwg No. 200/02 Rev 4

- External Finishes Schedule Doc No. 600/01/Rev 1

- Proposed External Finishes (Surfaces) Dwg No. 700/02 Rev 4

- Planting plan Dwg No. N522-PP-0001 Rev E

House types:

- A38 Dwg No. 300/05 Rev 2 and 300/05 Rev 3

- A34 Dwg No. 300/04 Rev 2 and 300/04 Rev 3

- A32 Dwg No. 300/03 Rev 2

- A22 Dwg No. 300/01 Rev 2 and 300/01 Rev 3

- A26 Dwg No. 300/02 Rev 2 and 300/02 Rev 3

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

2. No other part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved drawing.

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

3. 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 H11 of the North Tyneside Unitary Development Plan 2002.
4. Notwithstanding Condition 1, the construction of the adoptable estate roads and footways shall not commence until the construction details have been approved in writing by the Local Planning Authority. No dwelling shall be occupied until the estate roads which provide access to the development from the existing highway have been laid out in accordance with these agreed details.  
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.
5. Notwithstanding Condition 1, the construction of the adoptable estate roads and footways shall not commence until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with these agreed details.  
Reason: In order to minimise flood risk in accordance with NPPF.
6. Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Construction Management Plan details.  
Reason: In the interests of highway safety having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
7. Notwithstanding Condition 1, no development shall commence 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 having regard to NPPF.
8. Notwithstanding Condition 1, prior to construction of any of the dwellings hereby permitted above damp proof course level the following details (if applicable) and a timescale for their implementation shall be submitted to and approved in writing by the Local Planning Authority:
  - Upgrade of footpaths fronting site
  - Provision of footway crossings
  - Construction of visitor parking bays
  - Upgrade of carriageway as necessary
  - Associated street lighting
  - Associated drainage
  - Associated road markings
 Thereafter, these agreed works shall be carried out in accordance with the agreed timescales and retained thereafter.  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

9. Notwithstanding condition 1, prior to the occupation of any dwelling details of bird and bat box designs and their proposed locations shall be submitted to and approved in writing by the Local Planning Authority. A total of 5 bird and 3 bat boxes will be installed within the scheme. The bird and bat boxes shall be installed prior to the completion of the development and shall be retained thereafter.  
Reason: In the interests of wildlife protection having regard to NPPF.
10. Notwithstanding Condition 1, prior to the occupation of any dwelling suitable hibernacula for hedgehog shall be provided in accordance with the details approved in writing by the Local Planning Authority and shall be retained thereafter.  
Reason: In the interests of wildlife protection having regard to NPPF.
11. Notwithstanding Condition 1, any orchid(s) found on site shall be translocated into an appropriate landscaped area within the site (e.g. meadow grassland).  
Reason: In the interests of wildlife protection having regard to NPPF.
12. Notwithstanding condition 1, the tree protection measures shall be provided in full accordance with the submitted Arboricultural Method Statement.  
Reason: In the interests of wildlife protection having regard to NPPF.
13. No vegetation removal shall take place within the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has checked for the presence of nesting birds and these results shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of wildlife protection having regard to NPPF.
14. Notwithstanding Condition 1, prior to the commencement of construction works of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.  
Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.
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. 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.

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

Upon approval of the method statement:

- a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.
- b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority. The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results

showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment.

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

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

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

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

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

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

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy E3; of the North Tyneside Unitary Development Plan 2002.

18. Notwithstanding Condition 1, drainage works shall not commence until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

19. Notwithstanding Condition 1, prior to the operation of any part of the development hereby approved, the applicant shall undertake all necessary procedures required under Section 247/257 of the Town and Country Planning Act 1990 to secure the following;

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

Reason: In the interests of highway safety in accordance with policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

20. Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course level details of all boundary treatments and the acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority. These details shall include: a 1.8m high acoustic barrier to all gardens facing Mylord Crescent and Station Road and a minimum of a 2.5m high acoustic barrier (Figure 7 of report ref 5033.2 E) to ensure a minimum of 55dB for external noise. These details must take into account the difference in levels between the site, Station Road and the A1056 to ensure that the acoustic barrier in the gardens equates to 1.8m in height at road level



for Station Road and 2.5m in height at road level for the A1056. Thereafter, all boundary treatments, including the acoustic barriers, hereby approved shall be installed prior to the occupation of each dwelling and retained thereafter.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

21. Notwithstanding Condition 1, prior to the occupation of any details of the acoustic glazing and ventilation must be installed in accordance with details approved in writing by the Local Planning Authority. These details must ensure that the minimum glazing and ventilation systems as stipulated in Table 1 and Figure 1 of the submitted report (Ref 5033.2E) are given to meet the upper internal noise levels as set out in Table 2 of the submitted report (Ref 5033.2E) for road traffic noise from Mylord Crescent and Station Road. Plots 15 to 32 must be provided with acoustic glazing 10-16-9.1 laminated double glazing and AD-F system continuous mechanical extract and a single acoustic trickle vent. The acoustic glazing must demonstrate the following internal noise levels in accordance with BS8233:

-30 dB at night in bedrooms and L max 45 dB.

-35dB during the day and

-35 and 40 dB for living room and dining room respectively.

Thereafter, the development shall be carried out in complete accordance with these agreed details. The agreed mitigation measures shall be installed prior to occupation of each dwelling and permanently retained.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

22. Notwithstanding Condition 1, prior to the occupation of any dwelling details of the acoustic glazing and ventilation system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include minimum glazing and ventilation systems as stipulated in Table 1 and Figure 1 of the submitted report (Ref: 5033.2E) are given to meet the upper internal noise levels as set out in Table 2 of the submitted report (Ref: 5033.2E) for mixed road and industrial noise. The systems require mechanical ventilation AD-F system adequate to allow purge ventilation and acoustic glazing of 10-16-9.1 laminated double glazing or glazing of equivalent acoustic performance to be fitted to facades affected by traffic and industrial noise along the western and southern boundaries (Plots 11-14 and 35 - 40). The acoustic glazing details will need to demonstrate the following internal noise levels:

-30 dB minus BS4142 penalty at night in bedrooms and L max 45 dB.

-35dB minus BS4142 penalty during the day and

-35 and 40 db minus BS4142 penalty for living room and dining room respectively.

If there are any increase in window areas to rooms where the mitigation measures shall be installed further details will need to be submitted to ensure that the internal noise levels are met. Thereafter, the development shall be carried out in complete accordance with these agreed details. The agreed mitigation measures shall be installed prior to occupation of each dwelling and permanently retained.

Reason: In the interests of protecting residential amenity from undue noise and disturbance having regard to NPPF and Policy H11 of the Council's Unitary Development Plan 2002.

**Resolved** that (1) the Head of Law and Governance and the Head of Environment, Housing and Leisure be authorised to undertake all necessary procedures under Section 278 of the Highways Act 1980 to secure the followings highways improvements:

- a) Upgrade of footpaths fronting site
- b) Provision of footway crossings
- c) Construction of visitor parking bays
- d) Upgrade of carriageway as necessary
- e) Associated street lighting
- f) Associated drainage
- g) Associated road markings
- h) Associated Traffic Regulation Orders
- i) Associated street furniture and signage

(2) the Head of Law and Governance and the Head of Environment, Housing and Leisure be authorised to undertake all necessary procedures under Sections 247 and 257 of the Town and Country Planning Act 1990 to secure the stopping up of the highway that is no longer required.

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

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

Application No: **15/01307/FUL** Ward: **Valley**  
Application Type: full planning application  
Location: Fenwick Colliery East Holywell Earsdon To Backworth Link Road  
Backworth NEWCASTLE UPON TYNE  
NE27 0JP

Proposal: Proposed residential development for 18 dwellings  
Applicant: The Northumberland Estates

At this point Councillor O'Shea returned to the meeting room, Councillor Janet Hunter joined the meeting and Councillor Arkle left the meeting.

The planning officer presented details of the application to the committee.

The committee asked questions of officers and made comments. In doing so the committee gave particular consideration to the principle of the proposed development within the green belt and outcome of the coal mining risk assessment.

### **Decision**

The Head of Environment, Housing and Leisure be authorised 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 £12,978 for off-site children's play site equipment and maintenance.

(Minded to grant recommended as the proposed residential development of this previously developed site was considered to be acceptable in terms of its layout, design, scale, massing privacy, outlook, parking, access, the openness of the green belt and ecology.

Overall the proposal was in accordance with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.)

**Resolved** that the Head of Law and Governance and the Head of Environment, Housing and Leisure be authorised to undertake all necessary procedures under Section 278 of the Highways Act 1980 to secure the following highways improvements:

- a) Upgrade of footpaths surrounding the site
- b) Provision of footway crossings
- c) Associated street lighting
- d) Associated drainage
- e) Associated road markings
- f) Associated Traffic Regulation Orders
- g) Associated street furniture and signage

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

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

Application No:	<b>15/02039/FUL</b>	Ward:	<b>Chirton</b>
Application Type:	full planning application		
Location:	Unit S2 Second Avenue Tyne Tunnel Trading Estate North Shields Tyne And Wear NE29 7SY		
Proposal:	Retrospective change of use from wholesale warehouse (Class B8) to a retail warehouse club (sui generis use) with ancillary car parking, service area and external display area		
Applicant:	JTF Wholesale Limited		
Agent:	Contour Planning Services		

The planning officer presented details of the application to the committee.

### **Decision**

Application permitted, subject to the conditions set out below, as the principle of a retail warehouse club development on the employment site was considered to be acceptable having regard to whether there was any suitable sequentially preferable sites within the borough and its impact on the vitality and viability of town centres and on the highways. Overall the proposal was in accordance 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
  - 2014-161/PL0001 Site Location Plan
  - 1412-03 SK01 Rev B Site Layout
  - 1412 -03 SP02 Swep Path Analysis Service Yard Entry
  - 1414-03 SP03 Swep Path Analysis Service Yard Exit

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

2. The premises shall not be used for any purpose other than retail warehouse club (*sui generis*), and shall not be open to the general public. The business will operate by registered membership only in accordance with the following criteria:  
Applications for membership must be accompanied by two forms of Business Identification details or 1 proof of employment and 1 form of personal identification.  
Members must show their membership card prior to purchasing goods.  
Reason: To enable the LPA to retain control over the use and to protect the vitality and viability of existing centres in North Tyneside having regard to the National Planning Policy Framework and policy S3 of the North Tyneside Unitary Development Plan 202.
3. The goods sold from the premises shall be restricted to the following:  
A minimum of 50% of the net sales area shall be used for the sale of bulky goods comprising the following:
  1. DIY materials and ancillary goods
  2. Car care and accessories
  3. Gardening equipment and outdoor goods
  4. Furniture and floor coverings (including bathroom suites and equipment)
  5. Household textiles and soft furnishings
  6. Lighting
  7. Pet food and equipmentThe remaining non-bulky floorspace (representing a maximum of 50% of the net sales area) shall be restricted as follows:
  8. No more than 20% of the net sales area shall be used for the sale of food and drink (excluding café) and at no time shall the premises sell perishable or frozen food goods;
  9. No more than 12.5% of the net sales area shall be used for the sale of clothing and footwear
  10. No more than 7.5% of the net sales area shall be used for the sale of domestic electrical goods (excluding DIY and gardening equipment).Reason: To enable the LPA to retain control over the use and to protect the vitality and viability of existing centres in North Tyneside having regard to the National Planning Policy Framework and policy S3 of the North Tyneside Unitary Development Plan 2002.
4. Parking and manoeuvring shall be laid out as indicated on the approved plans and these areas shall not 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 LDD12 Transport and Highways and the National Planning Policy Framework.

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

The proposal 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.