

(Note: These minutes are subject to confirmation at the next meeting of the Planning Committee to be held on 13 September 2016)

Planning Committee

23 August 2016

Present: Councillor T Mulvenna (Chair)
Councillors J M Allan, A Arkle (part),
L Darke, M A Green, E Hodson, Janet Hunter,
John Hunter, F Lott, G Madden,
P Mason, D McMeekan and J O'Shea.

PQ17/08/16 Apologies

Apologies for absence were received from Councillors S Graham and C Johnson.

PQ18/08/16 Substitute Members

There were no substitute members appointed.

PQ19/08/16 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

PQ20/08/16 Minutes

Resolved that the minutes of the meeting held on 2 August 2016 be confirmed as a correct record and signed by the Chair.

PQ21/08/16 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:	16/00848/FUL	Ward:	Weetslade
Application Type:	Full planning application		
Location:	Land at former East Wideopen Farmhouse, Park View, Wideopen		
Proposal:	Erection of 12 residential dwellings (C3 use class) and associated access, infrastructure and landscaping		
Applicant:	Bellway Homes Ltd. (North East)		

A record of the site visit undertaken by members of the Planning Committee on 22 August 2016 was circulated to members immediately prior to the meeting.

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

The Highways Officer advised the committee that the following proposed informatives ought to have been included in the written report:

I05 - Contact ERH: Construct Highway Access

I07 - Contact ERH: Footpath/Bridleway X's Site

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before development

The committee then asked questions of officers and made comments. In doing so the committee gave particular consideration to:

- a) the retention of mature hedgerows to the west and north of the site;
- b) the landscaping proposals for the area of land between the boundary with the neighbouring property to the west of the site and the rear gardens of the proposed dwellings;
- c) restricting vehicular access to the site from the B1318 via the bridleway to the south of the site;
- d) the location and height of proposed fencing on the southern boundary of the site;
- e) the likelihood of the proportion of paved area within the development being extended in the future and its impact on the risk of flooding; and
- f) the necessity of Section 106 contributions to make the development acceptable in planning terms.

In view of the issues raised, three additional conditions were proposed for the purpose of restricting vehicular access to the site from the B1318 via the bridleway to the south of the site, for regulating any proposals to extend driveways or paved areas on the site and for regulating any proposals to change the height or style of the fencing on the southern boundary of the site. It was considered that the proposed conditions contained in the report requiring the submission of a landscaping plan would address the issues raised by the committee in relation to the protection of hedgerows and landscaping. The committee also concluded that a Section 106 contribution of £2,748 for access and infrastructure improvements to Lockey Park was necessary to make the development acceptable in planning terms.

Decision

The Head of Environment, Housing and Leisure be authorised to determine the application subject to the conditions listed in the report, together with those proposed during the meeting, 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 £2,748 for access and infrastructure improvements to Lockey Park.

(The committee were minded to approve the application as the principle of residential development on this site was considered to be acceptable together with its impact on the character and appearance of the surrounding area, its impact upon neighbouring living conditions with particular regard to noise, outlook and privacy, its impact on the highway network, parking provisions and access. Overall the proposal was in accordance with the National Planning Policy Framework and 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:	16/00194/FUL	Ward:	Howdon
Application Type:	Full planning application		
Location:	Site Of Former Customer Service Centre Churchill Street Wallsend Tyne And Wear		
Proposal:	Erection of single storey and two storey development to provide 5no units, comprising of 3no retail unit (Class A1), 1no unit to provide nursery accommodation (Class D1) and 1no office unit (Class B1) with associated car parking, servicing, access, landscaping and works to TPO trees		
Applicant:	Resilienti Ltd		

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

Councillor J Harrison, Howdon Ward Councillor, was permitted to address the committee. He stated that many of the objections submitted some months ago had been on the basis that the proposal included two hot food takeaways. Councillor Harrison welcomed the subsequent withdrawal of these proposals. However he and residents continued to be concerned about the impact of the proposed development on parking in the already congested area around Churchill Street, Tynemouth Road, Archer Street and Stanley Street. They believed that the proposed development, which included provision of 14 parking spaces within the site and two disabled parking places, would result in an increase in on-street car parking resulting in a loss of amenity to residents.

Mr M Briggs of MDB Planning was permitted to address the committee on behalf of the applicant, to respond to the points raised by Councillor Harrison. Mr Briggs, in acknowledging that the site had a long and complex planning history, drew member's attention to the main issue under consideration, whether the addition of a nursery within the development was acceptable. The officer's advice was that it was acceptable. The site was within a mixed residential and commercial area with good transport links. Whilst increased levels of traffic and parking would be inevitable, parking in the area was considered to be suitable. Mr Briggs also referred to the benefits of the nursery in terms of offering greater choice of childcare and providing local employment opportunities.

The committee then asked questions of officers and Mr Briggs. In doing so the committee gave particular consideration to the proposed operation of the nursery and its likely impact on traffic flows and car parking in the area. As there was uncertainty surrounding the answers to some of the questions, it was suggested that consideration of the application be deferred to the next meeting of the committee.

Decision

The application be deferred until the next meeting of the Planning Committee to be held on 13 September 2016 to enable the applicant to provide supplementary information in relation to the proposed operation of the nursery.

Application No: **16/00646/FUL** Ward: **Weetslade**
Application Type: Full planning application
Location: Land at Weetslade Colliery, Great Lime Road, Dudley
Proposal: Installation of wildlife corridor including engineering operations to create landforms and shallow wetland habitats and details of wildlife tunnels (Amended plan received 21.7.16 - inclusion of buffer to north boundary and ecology compensation).
Applicant: Highbridge Business Parks Ltd

The Planning Officer presented details of the application to the committee and in doing so set out details of minor amendments to the proposed conditions.

The committee asked questions of officers and made comments.

Decision

The Head of Environment, Housing and Leisure be authorised to determine the application subject to:

- a) the conditions set out in the planning officers report, as amended, and the addition or omission of any others considered necessary, subject to the receipt of any additional comments received from consultees;
- b) the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure off site mitigation for farmland birds, in particular skylark, to be paid to the Council on a pro rata basis for the land developed for business use. This will be paid at a rate of £3,500 resulting in a net payment of £100,800 for the whole site. An initial payment would be incurred of £5,250 for the 1.5ha of land occupied by the wildlife corridor; and
- c) no further matters arising which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

(The committee were minded to approve the application as they were satisfied that the proposed development is acceptable in terms of its impact on existing wildlife and the proposed mitigation meets the requirements of the National Planning Policy Framework and 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: **16/00964/FUL** Ward: **St Marys**
 Application Type: full planning application
 Location: Land South of Earsdon Road, Shiremoor
 Proposal: Formation of a drainage earth mound to retain run-off surface water in heavy rainwater flooding events. Associated works comprising of the regrading of an existing ditch and the installation of a piped drainage section through the earth mound connecting into the ditch
 Applicant: North Tyneside Council

Decision

Application approved, subject to the conditions set out below, as the proposed flood alleviation measures were considered to be acceptable in terms of the principle of development and its impact on amenity, ecology, landscaping and highways, 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 27.05.2016
 Wellfield Proposed Layout, drawing no.MGAP-CAP-WE-GEN-DR-C-7008, Rev.P01, 10.06.2016
 Wellfield Site Bounday, drawing no.MGAP-CAP-WE-GEN-DR-C-7009, Rev.P_01, 27.05.2016
 Wellfield Cross Sections, drawing no.MGAP-CAP-WE-GEN-DR-C-7010, Rev.0, 27.05.2016
 Wellfield Working Area Drawing, drawing no.MGAP-CAP-WE-GEN-DR-C-7005, Rev.P_01, 13.06.2016
 Pipe Section - Standard Details Sheet 1 of 2, drawing no. MGAP-CAP-WE-GEN-DR-C-7013, Rev.P01, 20.06.2016
 Tree appraisal and impacts assessment, June 2015
 Tree Protection Plan, drawing no.CS074550-CAP-00-VES-ML-V-0001, Rev.P01.1
 Reason: To ensure that the development as carried out does not vary from the approved plans.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. Notwithstanding Condition 1, 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. Notwithstanding the details submitted, a programme for maintenance of the propose scheme 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

5. 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.

6. Notwithstanding the plans approved, no development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the re-instatement of planting within the new wetland basin and surrounds to mitigate for the loss of semi-improved grassland, and shall include a specification and planting schedule detailing all species types, sizes, fixing method(s), planting layout and associated protective (plant) fencing and/or measures. Thereafter the development shall be landscaped in accordance with the landscaping scheme agreed.

Reason: In the interests of amenity and ecology and to ensure a satisfactory standard of landscaping in accordance with Policy E14 of the UDP.

7. 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 completion of the development 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.

8. Prior to development commencing, details of protective measures for the protection of the mature native hedge adjacent to the north side of the watercourse must be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures must be implemented in accordance with the details.

Reason: In the interests of amenity and ecology and to ensure a satisfactory standard of landscaping in accordance with policies E12/6 and E14 of the UDP.

9. Any pruning works are to be undertaken in accordance with BS 3998 (2010) 'Recommendations for Tree Work.

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

10. Prior to development commencing, the tree protection measures detailed on the 'Tree Protection Plan' and within the submitted 'Tree Appraisal and Impacts Assessment' must be installed in accordance with the approved details and retained for the duration of the approved works.
Reason: In the interests of amenity and ecology and to ensure a satisfactory standard of landscaping in accordance with Policy E14 of the UDP.
11. Areas suitable for supporting nesting birds shall 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 in accordance with Policy E12/6 and the NPPF.
12. A badger checking 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 in accordance with the NPPF and policy E12/6 of the UDP.
13. An otter/water vole checking 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 in accordance with the NPPF and policy E12/6 of the UDP.
14. No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) 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 and UDP policy E19/6
15. The development shall not be brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 14 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 and UDP policy E19/6 .
16. The development shall not be 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 and UDP policy E19/6.

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.

(Prior to consideration of the following item Councillor A Arkle left the meeting.)

Application No: **08/03131/OUT** Ward: **Riverside**
Application Type: Outline planning application
Location: Howdon Green Industrial Estate Norman Terrace Wallsend Tyne And Wear
Proposal: Outline planning application for residential development for 83 dwellings and details of proposed access (Amended Description)
Applicant: Ashtenne Industrial Fund LP

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

The committee asked questions of officers and, with his consent, a representative of the applicant. In doing so the committee gave particular consideration to the applicant's appraisal of the impact of Section 106 contributions on the viability of the scheme, the independent evaluation of the appraisal and the level of contributions which would fairly and reasonably relate to the scale and kind of the development.

Decision

The Head of Environment, Housing and Leisure be authorised to determine the application subject to the conditions listed in the report, 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 provision of:

- a) £29,714 towards open space provision within the vicinity;
- b) £20,000 towards sustainable transport objectives; and
- c) the provision of 16 affordable housing units.

(The committee were minded to approve the application as the principle of residential development on this site was considered to be acceptable in terms of its impact on the character and appearance of the surrounding area, the level of amenity for occupiers, parking and access which were in accord with the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002 in particular policies LE1/4, H5, H8, H12, R3/1, E2, T8, DCPS6)