

Item No: 2
Application No: 16/01635/FUL Author: Rebecca Andison
Date valid: 19 October 2016 ☎: 0191 643 6321
Target: 14 December 2016 Ward: Riverside
decision date:

Application type: full planning application

Location: Site Of Former Gas Holder, Minton Lane, North Shields, Tyne And Wear,

Proposal: Demolition of unstable and unsafe masonry boundary wall section, to be replaced with a 2.4m high mesh fence (amended description and plans).

Applicant: National Grid Property Holdings Ltd, FAO Mr Stewart Brasnell
National Grid House Warwick Technology Park CV34 6DA

Agent: BNP Paribas Real Estate, FAO Mr Craig Dawson One Trinity Gardens
Broad Chare Newcastle Upon Tyne NE1 2HF

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1. The Main Issues

1.1 The main issue for members to consider is the impact of the proposal upon the character and appearance of the site and the surrounding area.

2. Description of the Site

2.1 The application relates to the site of a former gas holder, Minton Lane, North Shields. The site still contains the former gas holder and a large area of hardstand immediately adjacent to it to the west and north. The eastern end of the site consists of rough grassland with trees and shrubs adjacent to the southern boundary wall. The site is situated to the north of the Minton Lane/Howdon Road roundabout. To the south are The Parks Leisure Centre and a large area of open space. To the north is Waterville Primary School and to the west are the playing fields associated with this school.

3. Description of the proposed development

3.1 The proposal seeks planning permission for the demolition of an unstable and unsafe masonry boundary wall section, to be replaced by a 2.4m high mesh fence. The description has been amended as originally the applicant sought to erect a 3m high palisade fence.

4. Relevant Planning History

85/01460/TELGDO – Erection of telecommunications tower.
Permitted 20.11.85.

96/00557/FUL – Replace interior chain link security fence with 2.4m high galvanised steel palisade fence.
Permitted 07.06.96.

5. Development Plan

5.1 North Tyneside Unitary Development Plan (adopted March 2002).

5.2 Direction from Secretary of State under paragraph 1(3) of Schedule 8 of Town and Country planning and Compulsory Purchase Act 2004 in respect of policies in the North Tyneside UDP.

6. Government Policy

6.1 National Planning Policy Framework (March 2012).

6.2 National Planning Policy Guidance (March 2014)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the determination of this application. It requires local planning authorities to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the National Planning Policy Framework.

PLANNING OFFICERS REPORT

7. Main Issues

7.1 The main issue for members to consider in this case is the impact the new fence would have on the character and appearance of the site and the surrounding area.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in the appendix to this report.

7.3 Preliminary Matters

7.4 The comments of Councillor Pickard are noted; however planning permission is not required for the demolition of the wall. Planning permission is however required for the new fence, as it would be over 2m in height adjacent to a highway.

7.5 Character and appearance

7.6 Paragraph 56 of NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and is indivisible from good planning and should contribute to making places better for people.

7.7 Policy LE3 of the UDP seeks to encourage measures for the improvement of older industrial and commercial areas within the borough including environmental and landscaping improvements.

7.8 Policy E14 encourages new planting in association with development.

7.9 The Design Quality SPD provides guidance on the design of buildings, places and spaces in North Tyneside. It states that the Council will encourage innovation in the design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated. Boundary treatment should be carefully considered and should not detract from the public realm.

7.10 The proposal seeks to replace approximately 100m of boundary wall running from the south eastern corner of the gas holder along the southern boundary to the eastern end of the site adjacent to the roundabout.

7.11 Initially it was proposed to replace the existing brick wall which measures between 2.8-2.9m in height with a 3m high palisade fence. Officers were concerned that this would be overly austere and have a significant adverse impact upon the character and appearance of the site and its surroundings. The applicant has amended the proposal and rather than a palisade fence now seeks to install a 2.4m high weld mesh fence. Such fencing is a common feature in urban areas and is normally seen around school playgrounds for example.

7.12 There is existing landscaping to the northern side of the wall, which consists of trees and shrubs both of which are shown to be retained. The fence would be seen against this backdrop. An additional area of landscaping is proposed immediately to the east of the gas holder compound, which would further add to the existing landscaping, which would further help reduce the visual impact of the fence and help to restrict views through and into the site.

7.13 Providing that the fencing is painted green and additional landscaping is secured both by condition, it is officer advice that the proposal would not have an adverse impact upon the character and appearance of the site or the surrounding area. The proposal would therefore accord with the advice in NPPF, UDP policies LE3 and E14 and the Design Quality SPD.

7.14 Financial Considerations

7.15 The proposal will provide work for a temporary period, whilst the existing wall is demolished and the new fence is installed. This will represent a small financial benefit of this proposal.

7.16 Conclusion

7.17 Planning permission is not required for the demolition of the existing wall. However planning permission is required for the new fence as it is over 2m in height. The proposed weld mesh fence would be 2.4m in height. Members need to consider whether the replacement fence would be acceptable and accord with the advice in NPPF and policy LE3 of the UDP.

7.18 It is officer advice that providing the fence it is painted green and also that additional landscaping is secured by condition, that the proposal would not have an adverse impact upon the character and appearance of the site or the surrounding area. It is therefore recommended that planning permission should be granted subject to conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.
 Drawing No. 160938-96/002
 Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. The 2.4m high weld mesh fence hereby permitted shall be painted dark green and maintained as such.

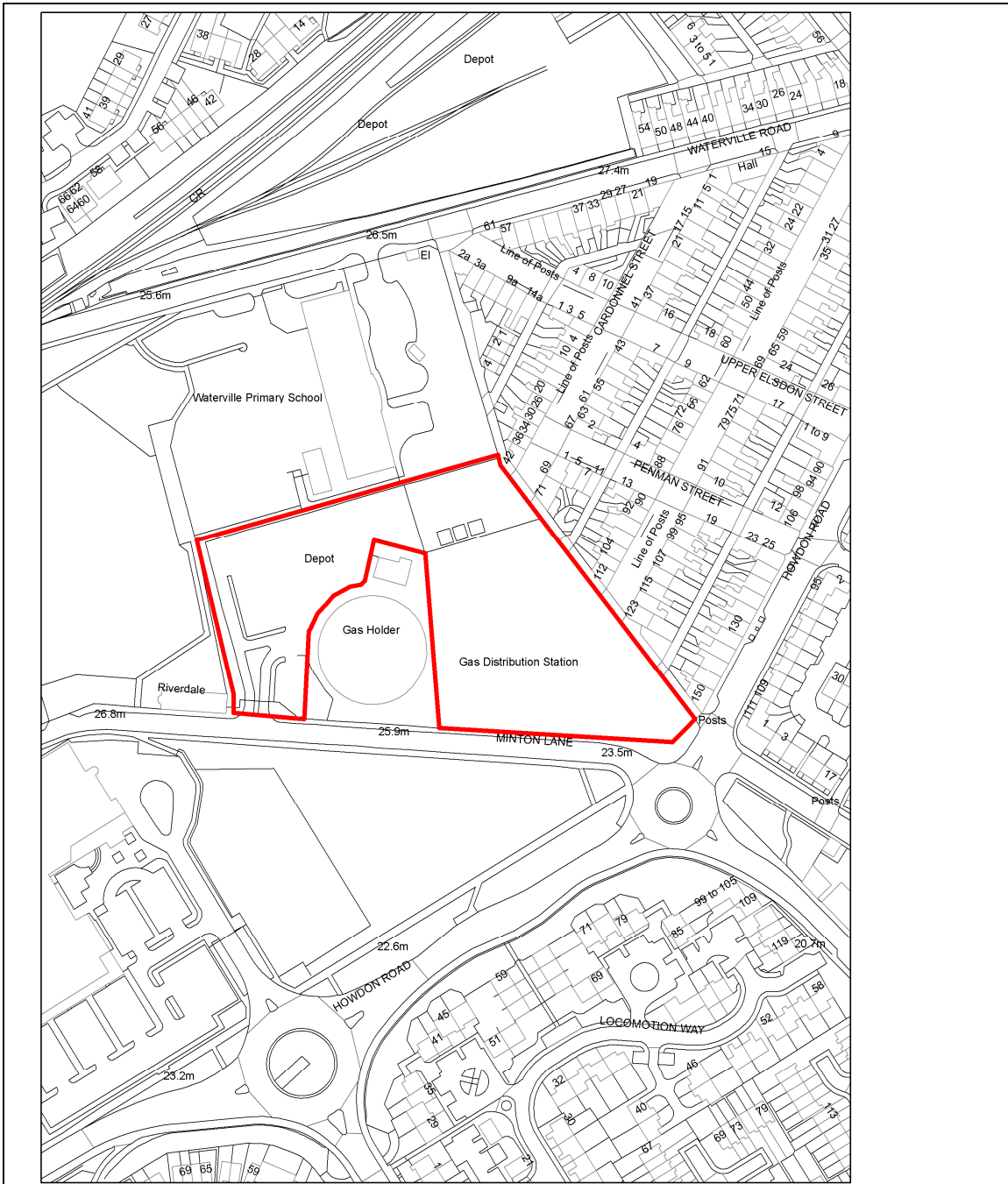
Reason: In the interests of the character and appearance of the site and the surrounding area in accordance with policy LE3 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding the submitted details, the fence hereby permitted shall not be installed until full details for additional landscaping adjacent to the fence in order to reduce its visual impact has been submitted to and approved in writing by the Local Planning Authority. 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 installation of the fence, and any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

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.

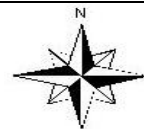


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Not to scale

Date: 24.11.2016

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**Appendix 1 – 16/01635/FUL
Item 2**

Consultations/representations

Internal Consultees

1. Highway Network Manager

1.1 This application is for the demolition of the unstable & unsafe masonry boundary wall section, to be replaced with a 3m high steel palisade fence. Conditional approval is recommended.

1.2 Recommendation - Conditional Approval

1.3 Conditions:

SIT05 - Construction Management

1.4 Informatives:

I12 - Contact ERH Erect Scaffolding on Rd

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlpt

1.5 The site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact Highway Network Management Team: streetworks@northtyneside.gov.uk (0191) 643 6131 to obtain a temporary footpath closure.

2. Manager of Environmental Health (Pollution)

2.1 I have no objection in principle to this application but would recommend hours of demolition, construction be applied to any consent and a condition to address dust mitigation during the works.

HOU04

HOU05

SIT03

3. Manager of Environmental Health (Contaminated Land)

3.1 I have no objections to this development, however previous land use may have given rise to contamination. Therefore I would recommend (informative) I15 be attached as any spoil from foundations will have to be disposed of at a suitably licensed landfill.

Representations

INIT

Councillor Bruce Pickard

I do not agree with these proposals, this wall has been part of the character of the area as long as I can remember, to demolish it and replace it with fencing will be detrimental to the area.