

(Note: These minutes are subject to confirmation at the next meeting of the Planning Committee scheduled to be held on 14 March 2017.)

Planning Committee

21 February 2017

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

PQ53/02/17 Apologies

Apologies for absence were received from Councillors J M Allan, A Arkle and S Graham.

PQ54/01/17 Substitute Members

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

Councillor L Spillard for Councillor S Graham.

PQ55/01/17 Declarations of Interest and Dispensations

Councillor P Mason declared of non-registerable personal interest in application 16/01956/FUL, Land to the Rear of Briar Vale, Whitley Bay because he lived in Briar Vale.

PQ56/01/17 Minutes

Resolved that the minutes of the meeting held on 31 January 2017 be confirmed as a correct record and signed by the Chair.

PQ57/01/17 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:	16/01743/FUL	Ward:	Monkseaton South
Application Type:	full planning application		
Location:	Land Adjacent To Charlton Court, Whitley Bay		
Proposal:	Residential development of 13 apartments for adults with learning difficulties and associated communal facilities.		
Applicant:	Home Group		

A planning officer presented details of the application to the committee. In doing so she made reference to the written report contained in the agenda papers, an addendum circulated at the meeting and various images, maps and plans displayed at the meeting.

Mr Gary Legg of 16 Churchill Avenue, Whitley Bay was permitted to address the committee. Mr Legg referred to Government guidance set out in the National Planning Policy Framework (NPPF) and he stated that the proposed residential development should not be constructed on open space when alternative brown field sites and vacant buildings such as the former Whitley Bay Police Station were available. Mr Legg stated that the criteria for housing development on sites not identified for this purpose as set out in Policy H5 of the Unitary Development Plan had not been met. Furthermore he disagreed with the judgment that the open space was surplus to requirements, which was a key test for development on open space in accordance with Paragraph 74 of the NPPF. The other green spaces within the surrounding area of Charlton Court were not safe for children to play or to walk dogs and they were across busy roads without pedestrian crossings. The Council had received 123 representations in relation to the application and all opposed the development. There were no letters of support. He objected to the development on the grounds of loss of open space, the development being out of keeping with the area, it being in contravention of a restrictive covenant and there being sufficient alternative brown field sites.

Members of the committee asked questions of Mr Legg.

Mrs Teresa Snaith of Home Group was permitted to address the committee to respond to Mr Legg's comments. Mrs Snaith stated that Home Group provided affordable housing, particularly supported housing services for vulnerable people. Home Group had worked with the Council over the past 2 years to formulate proposals for a much needed residential development which allowed people with learning difficulties to live independently and in the community. Home Group sought to provide high quality exemplar services for the client group. It had considered 3 or 4 alternative sites but these had been unsuitable. Mrs Snaith commented on the design of the development which would be 2 storey, in line with neighbouring properties, and built of red brick with timber cladding and off white rendering. Car parking would be in line with the required standards although car ownership among residents would be minimal. The site would be bounded with open palisade fencing.

Members of the committee asked questions of Mrs Snaith.

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

- a) the allocation of the application site within the Council's Local Plan Pre Submission Draft (2015) and the subsequent modification to the allocation in the Local Plan, currently subject to consultation;
- b) the loss of open space;
- b) the applicant's flood risk assessment and the proposed condition requiring the submission of a surface water management scheme prior to development taking place;
- c) the layout of the development in relation to Cedartree Gardens; and
- d) the weight of public opinion as expressed in 123 letters of objection.

Decision

Application approved, subject to the conditions set out in the report of the planning officer, as the proposed residential development was considered to be acceptable in terms of the loss of open space, the impact on the surrounding amenity and the amenity of the proposed occupiers, its impact on the character and appearance of the area, car parking

and access, flooding and biodiversity, in accord 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 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:	16/01692/FUL	Ward: Riverside
Application Type:	full planning application	
Location:	Land At Ballast Hill Road, North Shields	
Proposal:	Erection of 34 dwellings comprising of 10 No. four bedroom houses, 8 No. 3 bedroom houses, 15 No. two bedroom apartments and 1 No. three bedroom apartment, car parking area for 32 cars, bin and cycle store and connection to existing adopted highway	
Applicant:	Cussin (North East) Ltd	

A planning officer presented details of the application to the committee. In doing so she made reference to the written report contained in the agenda papers, an addendum circulated to members of the committee at the meeting and various images, maps and plans displayed at the meeting.

Mr William Spence, of 12 Westall Way, was permitted to address the committee. Mr Spence was concerned that the site was susceptible to flooding, particularly tidal surges and that residents of the flats were likely to experience noise from the nearby marina and boat yard. With reference to the proposed access to the development from Ballast Hill Road, Mr Spence queried whether the emergency services had been consulted on the adequacy of the access for emergency vehicles. Mr Spence was also concerned about cyclist and pedestrian safety at the access point which would be shared with the boat yard and the pumping station.

Mr David Brocklehurst from the applicants, Cussin (North East) Ltd, was permitted to speak to the committee to respond to the points raised by Mr Spence. Mr Brocklehurst outlined the history of Cussin's interests in the Royal Quays area and how the proposed development had involved detailed discussions with the Council, Royal Quays Marina and local residents. The feedback received from these discussions in relation to the impact of the development on nearby heritage assets and existing businesses had been incorporated into the proposed scheme. Mr Brocklehurst stated that the site had been allocated for housing in the emerging Local Plan. He highlighted the presumption in favour of development as set out in the NPPF, the need for housing in the context of the Council's 5 year housing supply and the financial contributions offered by the applicants for parks, education, affordable housing and an apprenticeship.

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

- a) the nature and levels of noise generated by existing businesses adjacent to the site and the measures proposed to mitigate against the noises;
- b) the risk of flooding;

- c) the impact of the development on highway safety;
- d) the risk of the site being affected by coal mining activity; and
- e) the absence of any comments from the Port of Tyne in relation to the safety and security of Royal Navy ships berthing at the quayside adjacent to the site.

Decision

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

- a) the conditions set out in the report of the planning officer, additional conditions agreed by the committee in relation to the protection of existing trees and assessing the risks associated with coal mining activities and the addition or omission of any other considered necessary; and
- b) completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
 - i) a contribution of £3,381 for parks towards improvements to access infrastructure and signage at West End Park and Chirton Dene;
 - ii) a contribution of £1,434 for semi natural green space towards biodiversity enhancements to Chirton Dene Park SLCI;
 - iii) a contribution of £68,185 for education (£43,430 for primary and £24,755 for secondary) for additional places in existing primary and secondary schools within North Tyneside;
 - iv) £100,000 for offsite affordable housing; and
 - v) an apprenticeship or £7000 for training.

(The committee was minded to approve the application because the development was considered to be acceptable in terms of the principle of residential development on this site, its design, layout, scale and massing, parking and access, its impact on the listed accumulator tower and the impact of noise caused by existing businesses on the amenity of residents in accordance with the National Planning Policy Framework and policies H5, H11, E3, E14, E12/6, E174 and DCPS 14 of the North Tyneside Unitary Development Plan 2002.)

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

- a) provision of new access;
- b) upgrade of existing footpaths abutting the site; and
- c) associated drainage, street lighting, road markings 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: **16/01830/LAREG3** Ward Whitley Bay
 Application Type: planning application by local authority
 Location: Promenade And Central Lower Promenade Whitley Bay
 Proposal: Works to Central Promenade comprising of: Cladding the existing lower promenade sea wall; Construction of a mechanically stabilised earth retaining wall on the lower promenade and subsequent widening of the upper promenade; Improvement of existing lower promenade and coastal frontage access, and associated public realm works (Updated – Design Statement: Potential Underlying Mine Workings)
 Applicant: North Tyneside Council

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers and various images, maps and plans displayed at the meeting.

Members of the committee asked questions of officers and made comments. In doing so the committee gave particular consideration to changes in the design of the scheme as compared to the previous planning permission, the positive feedback from members of the public during a consultation exercise and how the scheme took account of a sewerage pipe within its design.

Decision

Application approved, subject to the conditions set out in the planning officer's report, as the development was considered to be acceptable in terms of its impact on ecology, visual and residential amenity, cultural heritage and highway safety in accordance with the relevant policies contained within 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.

(At this point Councillor Janet Hunter left the meeting.)

Application No: **16/01956/FUL** Ward: Monkseaton South
 Application Type: full planning application
 Location: Land to the Rear of Briar Vale, Whitley Bay, Tyne And Wear
 Proposal: The excavation of a 6500m³ dry storage basin to the south west of the Briar Vale residential area to retain surface water run off from the fields during intense periods of rainfall. Associated works include the construction of a new ditch to link the storage basin to the NWA surface water sewer
 Applicant: North Tyneside Council

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers and various images, maps and plans displayed at the meeting.

Members of the committee asked questions of officers and made comments. In doing so the committee gave particular consideration to the impact of the proposal on the flood risk at Marden Quarry. An additional condition was proposed and agreed so that prior to the discharge of any surface water from the dry storage basin to the sewer network, full details of the improvement of the outfall within Marden Quarry must be submitted to and approved in writing by the Local Planning Authority.

Decision

Application approved, subject to the conditions set out in the planning officer's report and the additional condition agreed by the committee set out above, as the proposed storage basin and associated works were considered to be acceptable in terms of its impact on amenity, biodiversity, landscaping, archaeology and highway safety in accordance with the relevant policies contained within 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:	16/01995/FULH	Ward: Weetslade
Application Type:	Householder Full application	
Location:	57 Birchwood Avenue, North Gosforth	
Proposal:	Proposed single storey extension to the rear of the existing garage (Retrospective).	
Applicant:	Magdalena Gajos-Docherty	

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers and various images, maps and plans displayed at the meeting.

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

- a) the difference between the dimensions of the development which had been granted planning permission and the dimensions of the extension which had been constructed and were now subject to a retrospective application; and
- b) the impact of the increased projection and width of the extension on the outlook and privacy of neighbouring properties and the character and appearance of the area.

Decision

Application approved, subject to the conditions set out in the planning officer's report as the development was considered to be acceptable in terms of its impact on the outlook and privacy of neighbours and on the character and appearance of the area in accordance with the policies DCPS No. 9, DCPS No. 14, H11 and LDD11 of the North Tyneside Unitary Development Plan 2002 and relevant policies contained within 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 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.