

(Note: These minutes are subject to confirmation at the next meeting of the Planning Committee scheduled to be held on 4 April 2017.)

Planning Committee

14 March 2017

Present: Councillor T Mulvenna (Chair)
Councillors J Allan, A Arkle, K Barrie,
L Darke, S Graham, M A Green, E Hodson,
Janet Hunter, John Hunter, C Johnson,
F Lott, W Lott, G Madden and D McMeekan,

PQ58/03/17 Apologies

Apologies for absence were received from Councillors P Mason and J O'Shea.

PQ59/03/17 Substitute Members

Pursuant to the Council's Constitution the appointment of the following substitute members were reported:

Councillor K Barrie for Councillor P Mason
Councillor W Lott for Councillor J O'Shea.

PQ60/03/17 Declarations of Interest and Dispensations

There were no Declarations of Interest or Dispensations reported.

PQ61/03/17 Minutes

Resolved that the minutes of the meeting held on 21 February 2017 be confirmed as a correct record and signed by the Chair.

PQ62/03/17 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:	16/01603/FUL	Ward:	Monkseaton South
Application Type:	full planning application		
Location:	Land at the Site of 18-21 Western Terrace, Dudley		
Proposal:	Erection of 20 residential dwellings, 5no 3 bedroom properties and 15no 2 bedroom properties with associated parking and landscaping.		
Applicant:	SHN Homes Ltd		

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, an addendum to the report, a viability assessment undertaken by the Council (but not made available to the press and public by virtue of Paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended) 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) vehicular and pedestrian access to the proposed development;
- b) its impact on car parking in the area and the proposed condition requiring a car parking survey to be undertaken within 6 months of first occupation of the development;
- c) the size of the amenity space at the front of the proposed dwellings and the proposed boundary treatments; and
- d) the protection of access to the rear of neighbouring properties in Westfields and to adjacent allotments.

Decision

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

- a) the receipt of any additional comments received following expiry of the consultation period;
- b) no further matters arise which in the opinion of the Head of Environment, Housing and Leisure raise issues not previously considered which justify reconsideration by the committee; and
- c) the conditions set out in the report of the planning officer and the addition or omission of any other considered necessary.

(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, the residential amenity of occupants of the proposed dwellings and existing neighbouring properties, biodiversity, car parking, access and the character and appearance of the area in accordance with the National Planning Policy Framework and relevant policies 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) Upgrade of Western Terrace rear lane to an adopted standard;
- b) Associated street lighting;
- c) Associated drainage;
- d) Associated road markings;
- e) Associated traffic regulations orders; and
- f) Associated street furniture and signage.

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

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: **16/01889/FUL** Ward: Weetslade
 Application Type: Full planning application
 Location: Land East of Salters Lane, Longbenton
 Proposal: Residential development of 200 new homes (including 50 new affordable homes, access, gardens, car parking, landscaping, amenity space and associated infrastructure.)
 Applicant: Avant Homes and Mr G Oliver

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, an addendum circulated prior to the meeting, an addendum circulated at the meeting and various images, maps and plans displayed at the meeting.

Neil Craggs, accompanied by Wally Adams, of Entek International Ltd were permitted to speak to the committee. Mr Craggs stated that the Entek plant on Camperdown Industrial Estate had operated successfully for 28 years, manufacturing battery components. It now employed 135 people and operated 4 production lines at their maximum capacity 24 hours per day, 7 days per week. As business was good there was the potential for a fifth production line representing £15m worth of investment but Entek wanted confidence in the future viability of the operation. Entek were concerned at the proposed residential development because the Council's Environmental Health Officer had concluded that should occupants choose to open their windows then noise levels were likely to give rise to complaints, which in turn could lead to statutory action being taken against Entek. It was not possible to restrict the hours of operation at the plant because activities such as the use of the hammermill were demand led. National planning policy stated that existing businesses should not have unreasonable restrictions placed on them because of changes in nearby land use. The Council's regeneration officer had objected to the application because of the likelihood of a negative impact on the operations of existing and future businesses in the area. On the basis that Entek had not received assurance that its operations would be protected from noise complaints, Mr Craggs asked that the committee reject the application because the development would not provide occupants with an acceptable quality of life.

Member of the committee asked question of Mr Craggs and Mr Adams.

Stephanie Linnell, of George F White, was permitted to speak to the committee on behalf of the applicants. She sought to provide the committee with comfort and clarity regarding the mitigation that would be put in place against the noise from Entek including the use of bespoke house types set away from the Entek plant, landscaping and screening and the installation of appropriate glazing and passive ventilation. In order to provide safe access to the site and build upon recent improvements to the local highway network, the applicants had agreed to widen the A1056 Sandy Lane, provide bus stops and shelters and provide a signalised junction with the A1056 incorporating pedestrian crossings. In terms of the housing land supply, the site was suitable, available and sustainable. Whilst the planning officer had reported that the Council could now demonstrate a surplus five year housing land supply against the local plan requirement, this was a minimum target and this development would contribute to the choice and range of housing available. The application represented a high quality development that would provide other improvements and the committee were requested to approve the application in accordance with the planning officer's recommendation.

Members of the committee asked questions of Stephanie Linnell and her two colleagues.

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

- a) the sources of the noises emanating from the Entek plant and the possibility of the levels of these noises being reduced;
- b) the nature and frequency of earlier complaints about noises made by the Entek plant;
- c) the proposed measures to be undertaken by the applicants to mitigate against the noise from the Entek plant;
- c) the proposals contained within the applicants landscaping plan for the retention and replacement of hedgerows;
- d) the details of the proposed Section 278 Agreement to obtain highway improvements on the A1056;
- e) access to the site by emergency vehicles at peak congestion times;
- f) the omission from the proposed Section 106 agreement of any contribution towards the provision of education; and
- g) the impact of light pollution from local businesses on the development.

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 and addendum;
- b) the addition, omission or amendment of any other conditions necessary; and
- b) securing an agreement under Section 106 of the Town and Country Planning Act 1990 for the following;
 - (i) 25% affordable housing on-site;
 - (ii) £130,000 for improvements to the Local Public Rights of Way;
 - (iii) £175,000 Travel Plan Bond and £10,000 per annum for travel monitoring for the duration of construction and 2 years post construction;
 - (iv) New bus shelter to accompany the new bus stop to the west bound A1056 Killingworth Way and £300 per annum for the upkeep and maintenance for a period of 5 years.
 - (v) £91,600 for Neighbourhood Parks
 - (vi) £39,000 for Strategic/Semi Natural Open Space.
 - (vii) £125,000 towards children's equipped play space.

(The committee was minded to approve the application because contravention of policies E21 and E21/1 of the Unitary Development Plan and policy s1.7 of the emerging North Tyneside Local Plan would be outweighed by the significant benefits of the proposal with regard to the provision of market and affordable housing. Its impact in terms of amenity of future occupiers, impact on existing businesses, character and appearance of the area, car parking and access and other matters did not significant and demonstrably outweigh the benefits of the proposals in accordance with the National Planning Policy Framework.)

Resolved that the Head of Law and Governance and Head of Environment, Housing and Leisure be granted delegated authority to undertake all necessary procedures to obtain the following highway improvements by virtue of Section 278 of the Highways Act 1980:

- a) New traffic signal junction with pedestrian and cycle crossing facilities at the site access;
- b) Installation of MOVA and linking into proposed signals at A1056/A189 junction and A1056 corridor.
- c) Shared cycle/footway linking into the development at Whitehouse Farm.
- d) Shared cycle/footway linking into the development at Whitehouse Farm
- e) Shared cycle/footway linking into existing infrastructure on A189/

- f) Footpath along north side of A1056 between junctions with A189 & B1505 Station Road.
- g) Localised road widening.
- h) Upgrade and widening of footpaths surrounding the site.
- i) Associated street lighting
- j) Associated drainage
- k) Associated road markings
- l) Associated Traffic Regulation Orders
- m) Associated Street furniture and signage

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.

Application No:	16/01764/REM	Ward	Valley
Application Type:	Approval of reserved matters		
Location:	Land South of 81 Killingworth Avenue, Backworth		
Proposal:	Erection of 145 residential dwellings including 36 affordable dwellings; and creation of new access onto the B1317 and onto Killingworth Avenue. Discharge of conditions 1, 2, 7, 13, 15, 20, 24, 26 and 30 of outline planning permission 14/01687/OUT		
Applicant:	Robertson Homes		

The committee gave consideration to a report of a planning officer in relation to the application.

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 layout, scale, appearance and landscaping in accordance with the relevant policies contained within the National Planning Policy Framework and 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.

Application No: **16/01793/REM** Ward Valley
Application Type: Approval of reserved matters
Location: Land South of 81 Killingworth Avenue, Backworth
Proposal: Erection of 145 residential dwellings (Use Class C3) including 36 affordable dwellings and associated infrastructure, creation of new access to the west onto B1317 and to the east, creation of SUDS, open space and engineered earth bund. Discharge of conditions 1, 2, 5, 7, 11, 13, 14, 15, 20, 22, 24, 26, 30, 33, 36, 37, 38 and 39 of outline planning consent 14/01687/OUT
Applicant: Cussins (North East) Ltd

The committee gave consideration to a report of a planning officer in relation to the application.

Decision

Application approved, subject to the conditions set out in the report of the planning officer as the development was considered to be acceptable in terms of layout, scale, appearance and landscaping in accordance with the relevant policies contained within the National Planning Policy Framework and 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.

Application No: **16/01968/FUL** Ward Collingwood
Application Type: Full planning application
Location: Land South of data Centre 3, Cobalt Park Way, Wallsend
Proposal: Erection of motor vehicle dealership, for the sale, service and MOT of motor vehicles (amended landscaping plan 06.02.17)
Applicant: Pendragon Property Holdings

The committee gave consideration to a report of a planning officer in relation to the application.

Decision

Application approved, subject to the conditions set out in the planning officer's report and addendum, as the development was considered to be acceptable in terms the principal of development, impact on visual amenity, car parking and access in accordance with the North Tyneside Unitary Development Plan 2002 and relevant policies contained within the National Planning Policy Framework.

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.

Application No:	16/01963/FUL	Ward	Riverside
Application Type:	Full planning application		
Location:	Royal Quays Outlet Centre, Coble Dene, North Shields		
Proposal:	Erection of a trampoline hall with mezzanine level. (Resubmission)		
Applicant:	North Shields Investment Properties Ltd		

The committee gave consideration to a report of a planning officer in relation to the application.

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 design and layout, parking and highway issues in accordance with relevant policies contained in the National Planning Policy Framework and North Tyneside Unitary Development Plan 2002.)

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

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.

PQ63/03/17 Tree Preservation Order – Land to the South of Beverley Villas, Marden Avenue, Cullercoats (Cullercoats Ward)

In June 2016 the Council had received a planning application to demolish an existing storage building located to the south of Beverley Villas and to construct a new storage building. The building was located directly adjacent to a mature sycamore tree and the development had the potential to impact on this tree. In accordance with the Town and Country Planning Act 1990 (as amended) the Council could issue a Tree preservation Order (TPO) where it considered it necessary to maintain and safeguard the contribution made by the trees to the site.

The Council's Landscape Architect had visited the site and noted that the tree was a semi mature specimen with reasonable shape and form. It was visible from the public highway to the rear of Beverley Terrace and on this basis it had been concluded that there was sufficient amenity value to warrant a TPO. Consequently the Council of the Borough of North Tyneside (Land to the to the South of Beverley Villas, Marden Avenue, Cullercoats) Tree Preservation Order 2016 had been made and served on affected residents on 6 October 2016.

Two representations had been received objecting to the confirmation of the TPO from the owner of the adjacent site and a resident living in Beverley Villas. Details of the objections were presented to the committee.

The comments of the Council's Landscape Architect in response to the objections were presented to the committee in relation to the ownership of the land, sap from the tree, loss of light, the height of the tree, potential damage to a wall and footpath, the value of Sycamore trees to the landscape and its visual amenity.

The committee gave consideration as to whether to confirm the making of TPO taking into account the representations received. The committee concluded that the TPO should be confirmed without modification because the trees were an asset to the local environment and the TPO did not prevent the felling or pruning of trees, but it gave the Council control in order to protect trees which contribute to the general amenity of the surrounding area.

Resolved that The Council of the Borough of North Tyneside (Land to the South of Beverley Villas, Marden Avenue, Cullercoats) Tree Preservation Order 2016 be confirmed with no modifications.

PQ64/03/17 Planning Committee Speaking Rights Scheme (Previous Minute PQ22/09/09)

Following consultation with the Chair and Deputy Chair of the Planning Committee a review of the Speaking Rights Scheme had been undertaken during the Autumn 2016 with the following aims:-

- a) to address a number of issues to arise from the operation of the existing scheme, for example the late submission of documentary evidence by speakers;
- b) to simplify and clarify the terms of the scheme for councillors, officers, applicants and members of the public; and
- c) to ensure that the Planning Committee focuses its deliberations on major and contentious applications.

A copy of the proposed revised scheme was presented to the committee.

Resolved that (1) the revised Speaking Rights Scheme be approved and adopted from a date to be determined by the Heads of Law and Governance and Environment, Housing and Leisure, once all the relevant documentation and procedures have been amended to reflect the revised scheme; and

(2) the Head of Law and Governance, in consultation with the Chair and Deputy Chair of the Planning Committee, be authorised to make any minor amendments to the scheme considered necessary in the light of experience gained from operating under the revised scheme.