

Item No: 5.2

Application No: 17/00900/REM Author: Julia Dawson
Date valid: 15 June 2017 ☎: 0191 643 6314
Target decision date: 14 September 2017 Ward: Whitley Bay

Application type: approval of reserved matters

Location: Site of Former Avenue Hotel Park Avenue Whitley Bay Tyne And Wear

Proposal: Reserved matter application of 16/00319/OUT relating to approval of the layout, scale, appearance, landscaping and access for the development of 12no dwellings. Discharge of condition 10 (detailed parking scheme), 11 (refuse storage facilities), 12 (foul and surface water drainage), 16 (cycle storage), 17 (gas investigate no development), 18 (contaminated land investigation), 24 (house martin nest boxes), 26 (coal mining site investigations), 27 (boundary enclosures) and 31 (public art scheme) of 16/00319/OUT.

Applicant: North Tyneside Council, C/o Agent Richard Brook North Tyneside Council
Quadrant East 16 The Silverlink North Cobalt Business Park North Tyneside NE17
0BY

Agent: Kier North Tyneside, FAO Guy Holmes Kier North Tyneside Harvey Combe
Killingworth Newcastle Upon Tyne NE12 6UB

RECOMMENDATION: Minded to grant on expiry consultation

Revised Recommendation

It is recommended that members indicate they are minded to approve the application subject to the receipt of any additional comments received following expiry of the consultation period and the conditions set out below and the addition or omission of any other considered necessary, and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing 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.

Local Lead Flood Authority (LLFA)

I can confirm that the information provided is acceptable and the alterations that the applicant has made have removed my concerns regarding the future flood risk to the development. As such I will remove my objection to this application.

Final Comments:

This application is a reserved matter application of 16/00319/OUT relating to approval of the layout, scale, appearance, landscaping and access for the development of 12no dwellings.

As part of this proposal a Flood Risk Assessment (FRA) has been submitted and based on the information provided the applicant has agreed to raise the proposed floor levels to avoid potential flooding. Approval is recommended.

Planning Officer Comments

Revised elevation and site layout plans have been submitted (further to the original LLFA feedback). These show that the proposed dwellings will be approximately 600mm higher than originally proposed. Given the relationship of the proposed development with the surrounding buildings and the relatively small increase in overall height which is proposed, it is not considered that this will result in any adverse impact on character and appearance of the area or the living conditions of surrounding residents.

Conditions/Reasons (added/amended)

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

- Application Form, 15.06.2017
- Site Location Plan, dwg no.16-1021 AV001
- Block Plan, dwg. no.16-1021 AV002
- House Type 1, dwg. no.16-1021 AV110
- House Type 2, dwg. no.16-1021 AV120
- House Type 3, dwg. no.16-1021 AV130
- House Type 4 - Proposed Floor Plans, dwg. no.16-1021 AV140
- House Type 4 - Proposed Elevations, dwg. no.16-1021 AV141
- Street Elevations, dwg. no.16-1021 AV210
- Site Layout, dwg. no.16-1021 401
- Design & Access Statement
- Phase 2 Ground Investigation & Assessment (CS088973-GIA-03)
- Topographical Survey, dwg. no.C137, 13.06.17

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

1. DMPO Statement granted amendments sought S002 *
2. Construction Method Statement - Major SIT007 *
3. Prior to commencement of the approved development above damp course level, full construction details of all windows and doors shall be submitted to and agreed in writing by the Local Planning Authority. All windows should be set back within the window reveal unless otherwise agreed by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved details.
Reason: To ensure a satisfactory appearance having regard to policies S1.4 and DM6.1 of the North Tyneside Local Plan 2017, LDD11 'Design Quality' and the NPPF.

4. No alarm boxes or other external features, including meter boxes, satellite dishes or ventilation extraction shall be installed to the approved development unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure a satisfactory appearance having regard to policies S1.4 and DM6.1 of the North Tyneside Local Plan 2017, LDD11 'Design Quality' and the NPPF.
5. Condition 2 of outline planning permission 16/00319/OUT requires details of the reserve matters of appearance, landscaping, layout and scale to be submitted to and approved in writing by the local planning authority before the development of that phase and the development to be carried out as approved. The details of the reserve matters were agreed by Planning Committee on 19 September 2017 and therefore this condition is discharged.
6. Condition 3 of outline planning permission 16/00319/OUT required an application for the approval of the reserve matters to be made by 11.05.20121. The application for reserve matters was made on 15.06.2017 and therefore this condition is discharged.
7. Condition 10 of outline planning permission 16/00319/OUT requires a detailed parking layout to be designed in accordance with LDD12 (Transport and Highways SPD). The parking layout is included on drawing no.16-1021 401 PROPOSED SITE PLAN. This condition is now discharged.
8. Condition 11 of outline planning permission 16/00319/OUT requires details of the facilities to be provided for the storage of refuse to be provided at the premises. The details have been provided on drawing no.16-1021 401 PROPOSED SITE PLAN. This condition is now discharged
9. Condition 12 of outline planning permission 16/00319/OUT requires that the details to be submitted as part of the reserve matters shall include full information on the means of dealing with foul and surface water. Insufficient information has been submitted in respect of this matter. The proposal therefore would not provide a satisfactory means of surface water drainage and would be contrary to policies DM5.14 and DM5.15 of the North Tyneside Local Plan (2017).
10. Condition 16 of outline planning permission 16/00319/OUT requires details of secure undercover cycle storage for residential use to be submitted to the LPA for approval. The details are included on drawing no.16-1021 401 PROPOSED SITE PLAN. This condition is now discharged.
11. Condition 17 of outline planning permission 16/00319/OUT requires 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.

The details have been submitted. However, the Contaminated Land Officer has commented that whilst the requirements of part (a) of the condition have been met, a remediation and validation statement are still required. Therefore, part (a) of the condition is discharged, but parts (b) to (d) are not discharged and must still be formally satisfied.

12. Condition 18 of planning permission 16/00319/OUT required a detailed site investigation to be carried out to determine level of contamination at the site. Thereafter, the results and conclusions of the detailed site investigations (along with details of any required remediation, validation report and hotspots) were required to be submitted to the LPA for approval. The applicant has submitted information in respect of this condition (Phase II Ground Investigation & Assessment). However, the Contaminated Land Officer has commented that further information needs to be provided regarding the site investigation methodology. The information submitted within the Phase II report does not satisfy the requirements of Condition 18 and therefore it cannot be discharged.
13. Condition 24 of outline planning permission 16/00319/OUT requires the details of three house martin nest boxes, which are to be incorporated into buildings within the development scheme, to be submitted to the Local Planning Authority for approval prior to the commencement of the construction of dwellings on the site. Details have been provided on drawing no. 16-1021 401 PROPOSED SITE PLAN. However, the Biodiversity Officer has not provided comment on this in light of the lack of a detailed landscape plan at this stage. Therefore, the condition cannot be discharged.
14. Condition No.26 of planning permission 16/00319/OUT requires a scheme of intrusive site investigations for the shallow coal workings to be undertaken prior to this submission of this reserved matters application, and thereafter requires the submission of a report of findings arising from both of the intrusive site investigations, including the results of the gas monitoring undertaken, the submission of a scheme of remedial works/mitigation for the shallow coal workings/mine gas, including a timetable for the works to be undertaken. The Coal Authority has noted that, although intrusive site investigations have been undertaken, the condition has not been fully satisfied as the applicant has not submitted a proposed specification for the required remedial stabilisation works. The Coal Authority does not consider that the applicant has provided the LPA with sufficient information to adequately address the requirements of Condition 26 of planning permission 16/00319/OUT and the condition can not be discharged.
15. Condition 27 of outline planning permission 16/00319/OUT requires details of all boundary enclosures to be submitted to the LPA for approval. The details are included on drawing no. 16-1021 401 PROPOSED SITE PLAN. This condition is now discharged.

16. Condition 31 of planning permission 16/00319/OUT requires the submission of a scheme of public art to be submitted to and approved in writing by the LPA. The applicant proposes to discharge this condition via the use of materials and public features, landscaping and the inclusion of 'art deco' style railings to the Promenade entrance to create an art feature and focal point. It is not considered that this is sufficient in terms of providing a scheme of public art in order to satisfy this condition. The condition cannot be discharged.

Informatives

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.

The applicant is advised that future residents may not be entitled to a parking permit under the council's residential permit scheme. For further information contact the Parking Control Team: parkingcontrol@northtyneside.gov.uk (0191) 643 2121

The applicant's attention is directed to the specifications and standards of the police approved security scheme "Secured by Design" (SBD Homes 2016). Details of the scheme can be found at www.securedbydesign.com