

(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 7 August 2018.)

## **Planning Committee**

**10 July 2018**

Present: Councillor F Lott (Chair)  
Councillors S Graham, M A Green,  
John Hunter, G Madden, P Mason,  
D McMeekan, J Mole and L Spillard.

### **PQ06/07/18 Apologies**

Apologies for absence were received from Councillors J M Allan, T Brady and M Reynolds.

### **PQ07/07/18 Substitute Members**

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

Councillor J Mole for Councillor T Brady

### **PQ08/07/18 Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations reported.

Councillor S Graham indicated that although application 17/00817/FUL was located within her ward she had not pre-determined the application.

### **PQ09/07/18 Minutes**

**Resolved** that the minutes of the meeting held on 12 June 2018 be confirmed as a correct record and signed by the Chair.

### **PQ10/07/18 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: 17/00817/FUL Ward: Whitley Bay  
Application Type: full planning application  
Location: Site of former Coquet Park and Marine Park First Schools, Coquet Avenue, Whitley Bay  
Proposal: Residential development of 64 units consisting of 16no houses (3 and 4 bedroom), 44no apartments (1 and 2 bedroom), 4no flats over garages (2 bedroom) with associated parking and landscaping  
Applicant: Places For People

The Committee gave consideration to a report of the planning officers in relation to the application, together with an addendum circulated to the Committee prior to the meeting. A planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Committee's Speaking Rights Scheme, the following people had been permitted speaking rights:

Mrs Belinda Butler of 33 Coquet Avenue  
Mr Ed Schwalbe of 20 Marine Gardens  
Ms Gillian Dunn of 6 Coquet Avenue  
Mr Matthew Unthank of 20 Coquet Avenue  
Ms Jean Laurie of 7 Coquet Avenue  
Mrs Anne Hodgkiss of 29 Coquet Avenue  
Ms Ruth Sutcliffe of Marine Park First School

Following a request from the Chair that the speakers appoint spokespersons, they had agreed that Ms Ruth Sutcliffe would address the Committee on behalf of Marine Park First School and Mr Matthew Unthank would speak on behalf of local residents.

Ms Sutcliffe challenged the evidence on which the applicant's transport statement had been based, including the estimated trip rate and a failure to recognise the characteristics of the surrounding area. She commented on the extent and nature of the proposed on site car parking, its visual impact and the likely impact of the development on car parking in the area, highway and pedestrian safety and congestion at the beginning and end of the school day. Parents were concerned that many of the proposed apartments would overlook the playground at the school. The proposed restrictions on the timing of construction traffic were unacceptable as they would allow traffic at the start and end of the school day.

Mr Unthank stated that residents were supportive of the principle of residential development of the site but they objected to this application on the grounds that:

- a) the proposed development would lead to a loss of 30 on street car parking places in the area thereby creating car parking problems and congestion in the area;
- b) the height and size of the proposed development would detract from the culturally important listed buildings in the area; and
- c) the development would discourage the use of Whitley Park and its games area.

Councillor John O'Shea, the local ward councillor for the Whitley Bay Ward was permitted to speak to the Committee. Councillor O'Shea believed the application was not in accordance with the Council's Local Plan because:

- a) the construction of 65 units was above the indicative figure of 41 stated in the plan and so it was a high density and an overdevelopment of the site; and
- b) the applicant proposed to provide 11 affordable homes which represented 17% of the units on the site, contrary to the Council's policy contained in the Local Plan requiring 25% affordable homes.

Councillor O'Shea also considered that the 4 storey design of the apartment block on Park Road was out of character with the area and would have a detrimental impact on the Grade II Listed St Edward's Church. He also referred to the significant loss of on street car parking which would lead to car parking problems in the area.

Ms Nilam Buchanan, on behalf of the applicants, Places for People, was permitted to speak to the Committee to respond to the points raised by the speakers. She was accompanied by Mark Massey of IDPartnership. Ms Buchanan explained that Places for People was a registered social landlord who aimed to create sustainable places to live for everyone, providing a choice of homes. The proposed development had been designed to meet housing demand, to fit into the location and to comply with planning and building regulations. The development would include 91 car parking spaces within the site which met the Council's parking standards and the height of the apartments adjacent to St Edwards had been reduced to reduce its visual impact. The applicant was committed to providing 11 affordable homes. This figure had been subject to a robust investigation which had shown it to be a fair contribution. People for Places were happy to contribute towards the costs of a coastal warden and to comply with the proposed condition restricting the use of apartments for short terms lets.

Members of the Committee asked questions of the speakers, the ward councillor, the applicant's representatives and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the type and design of the 11 affordable homes;
- b) the commercial viability of the development if it were required to provide 25% affordable homes;
- c) the status of the site which was identified as a brownfield site in the Local Plan but it could also be considered to be a greenfield site in accordance with the definition contained within the National Planning Policy Framework (NPPF);
- d) the process through which financial contributions from several developments may be combined to meet the costs of a coastal warden;
- e) the height of the proposed development and its impact on the character and appearance of the area;
- f) the previous planning history of the site;
- g) how accessibility for disabled people had been incorporated into the design of the development; and
- h) the proposed provision of 91 car parking spaces on site and the likely impact of the development on car parking and congestion in the surrounding area.

### **Decision**

Application refused on the grounds that:

1. The proposal development by virtue of its density and height would result in the overdevelopment of the site that would be out of keeping with its surroundings. It would have an adverse impact upon the character and appearance of the surrounding area contrary to policy DM6.1 of the North Tyneside Local Plan 2017.
2. The proposal would provide insufficient affordable housing contrary to policy DM4.7 of the North Tyneside Local Plan 2017.
3. The proposal given its bulk, height and mass would have an adverse visual impact upon the character and appearance of the site and the surroundings contrary to policy DM6.1 of the Local Plan and the advice in National Planning Policy Framework (2012).
4. The proposed development would provide insufficient parking and result in the loss of on street parking that would have a severe impact in terms of pedestrian and highway safety contrary to the advice in National Planning Policy Framework, policy DM7.4 of the North Tyneside Local Plan 2017 and the Transport and Highways Supplementary Planning Document LDD 12 (May 2017).

Application No: 17/00663/FUL Ward: Collingwood  
Application Type: full planning application  
Location: Land at former 25 St Anselm Crescent, North Shields  
Proposal: Proposal: Variation of condition 1 of application 16/00886/FUL (2no new 'one and a half' storey 3 bed bungalows) regarding alterations to external finishing (render), alteration to the location, height and roof style of the proposed garages, additional rear patio and two additional windows to the front elevation. (Additional information submitted - In relation to the change of description and the elevations to indicate the two additional windows to the front elevation). (Part retrospective)  
Applicant: G Leisure

The Committee gave consideration to a report of the planning officers in relation to the application, together with an addendum circulated to the Committee prior to the meeting. A planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Committee's Speaking Rights Scheme, Mr A Hall of 2 St. Anselm Road and Mr A Scott of 8 Chirton Hill Drive were permitted to speak to the Committee. Mr Hall stated that he had not been notified that the original planning permission had been superseded by revised plans which provided for the re-location of the garages. If the application were approved the revised location of the garages would seriously restrict the outlook from his property. The original site of the garage had been in line with the gable end of his property and so had less impact.

Mr Scott spoke on behalf of a number of residents who had signed a petition. Mr Scott commented that the application was not a variation but rather it was retrospective because the works had commenced. It had been neighbouring residents who had alerted the Council to the issue. Mr Scott was concerned that the applicant had been requested on 3 occasions to cease works on site. He believed that if the application were approved this would set a precedent allowing other developers to proceed with works without the necessary planning permission. Mr Scott expressed his concerns regarding the risks of the site being contaminated and he stated that the development would not reflect and complement the surrounding area.

Mr Mark Garry of G Leisure, attended the meeting accompanied by his agent, Mr David Lawson, to respond to the points raised by the speakers. Mr Garry had acquired the site 18 months ago and had invested £250,000 to resolve the ground issues and begin construction of the bungalows. It had been decided to change the location of the garages to increase the number of on-site car parking spaces to 4 and improve access. The design of the garages had also been altered from a pitched roof to a flat roof to alleviate the concerns raised by neighbours. Mr Lawson explained that there had been a breakdown in communication between the applicant, the project manager and the Council which had led to works commencing on the revised plans before the application for a variation had been submitted. The work had stopped on the advice of the planning officers.

Members of the Committee asked questions of the speakers, the applicant, his agent and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the enforcement action taken by planning officers; and
- b) the fact no precedent would be set by the granting of the variation to the conditions.

**Decision**

Application refused on the grounds that the proposed alteration to the siting of the garages would have a detrimental impact on the amenity of neighbouring residents contrary to Policy DM6.1 of the North Tyneside Local Plan (2017).

Application No: 18/00415/FUL Ward: Camperdown  
 Application Type: full planning application  
 Location: Killingworth Town Park, West Bailey, Killingworth  
 Proposal: Proposed construction of a flood storage detention basin with weir, and associated development including a new access, fishing jetties, footpaths and landscaping  
 Applicant: Northumbrian Water

The Committee gave consideration to a report of the planning officers 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 impact on flooding, visual and residential amenity, open spaces, biodiversity and highway safety in accordance with the relevant policies contained within the National Planning Policy Framework and the Council's Local Plan 2017.

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: 18/00596/FUL Ward: Longbenton  
 Application Type: full planning application  
 Location: Greggs Building and Distribution Services, Benton Lane and Gosforth Park Way, Longbenton  
 Proposal: Production and freezer extensions with despatch docks. New electricity sub-station and compressed natural gas station  
 Applicant: Greggs plc

The Committee gave consideration to a report of the planning officers 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 the principle of extending the existing factory, its impact on the character and appearance of the site and surrounding area, its impact on neighbouring occupiers, access and parking, flooding and biodiversity in accordance with the relevant policies contained within the National Planning Policy Framework and the Council's Local Plan 2017.

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.

### **PQ10/07/18 Chirton Green, North Shields Tree Preservation Order 2018 (Preston Ward)**

The Committee were presented with details of the Chirton Green, North Shields, Tyne and Wear Tree Preservation Order 2018 together with details of three objections to confirmation of the Order.

The trees subject to the Order were currently protected by the Chirton Green, North Shields TPO 1994. It had been considered necessary to issue the Order of 2018 to maintain and safeguard the contribution made by these trees to the landscape and visual amenity of the area and to update the 1984 Order to include the new housing development at Gardener Park. The Order had to be confirmed by 8 August 2018 otherwise the Order would lapse.

The Committee gave consideration to the grounds for the objections and the comments of the Council's landscape architect who had assessed the objections. The Committee were advised that confirmation of the TPO would not prevent any necessary tree work from being carried out but would ensure the regulation of any tree work to prevent unnecessary or damaging work from taking place that would have a detrimental impact on the amenity value, health and long term retention of the trees. Anyone could apply for permission to carry out pruning work to the trees but they may also need to seek permission of the landowner.

**Resolved** that the Chirton Green, North Shields, Tyne and Wear Tree Preservation Order 2018 be confirmed with no modifications.

(Reason for decision: The trees are mature in age, and collectively have a strong visual presence and high amenity value. They are part of the historic fabric of the local area and along with other trees in the area have sufficient amenity value to warrant a Tree Protection Order. The Order does not prevent the felling or pruning of trees, if necessary, but it gives the Council control in order to protect trees which contribute to the general amenity of the surrounding area.)