

(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 6 August 2019.)

## **Planning Committee**

**9 July 2019**

Present: Councillor F Lott (Chair)  
Councillors T Brady, B Burdis, L Darke,  
S Graham, M A Green and P Richardson.

### **PQ07/07/19 Apologies**

Apologies for absence were received from Councillors C Johnson, W Samuel and F Weetman.

### **PQ08/07/19 Substitute Members**

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

Councillor J Stirling for Councillor C Johnson  
(Councillor Stirling was not present at the meeting.)

### **PQ09/07/19 Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations reported.

### **PQ10/07/19 Minutes**

**Resolved** that the minutes of the meeting held on 11 June 2019 be confirmed as a correct record and signed by the Chair.

### **PQ11/07/19 Planning Officer's Reports**

The Chair reported that he had agreed to consideration of applications 18/01373/FUL and 18/01374/LBC in relation to Holywell Engineering, Station Road, Backworth, being deferred at the request of Northumberland Estates so that the applications could be considered together with a separate application relating to an adjacent site.

**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: 19/00436/FUL Ward: Riverside  
Application Type: Full planning application  
Location: 26 - 37 Clive Street North Shields Tyne And Wear NE29 6LD  
Proposal: Demolition of the former North Eastern Rubber Company factory buildings and construction of three residential apartment blocks, comprising of 49no one bedroomed and two bedroomed apartments and 1no two bedroom townhouse and associated parking.  
Applicant: J C Quay Limited

The Committee gave consideration to a report of the planning officer in relation to the application, together with an addendum to the report which had been circulated to the members of the committee at the meeting. A planning officer presented details of the application with the aid of various maps, plans and photographs.

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

- a) the nature and extent of the Council's public consultation in relation to the application;
- b) the design of the proposed development and its impact on the Fish Quay and New Quay Conservation Areas;
- c) the height of the development, its relationship with neighbouring properties and its impact on residents in Yeoman Street;
- d) officer advice that from the information submitted, the proposal complied with the accessibility and internal space standards as set out in Policy DM4.9 of the Local Plan; and
- e) the proposed condition requiring the applicant to submit for approval a car parking management scheme which would address the risk of members of the public inadvertently parking their cars in residents' car parking spaces.

### **Decision**

The application be permitted, subject to the conditions set out in the planning officer's report, as the proposed development will bring back into use a derelict site and enhance the appearance and character of the North Shields Fish Quay and New Quay Conservation Areas. The development was also considered to be acceptable in terms of its design, scale and height and its impact on car parking, highway safety, the amenity of residents and biodiversity in accordance with the relevant policies contained in the National Planning Policy Framework and the Local Plan 2017.

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

- upgrade of footpaths abutting the site;
- associated street lighting;
- associated drainage;
- associated road markings;
- associated traffic regulation orders; and
- associated street furniture and signage.

The applicant will be required to stop up the highway within the site that is no longer required under Section 247/257 of the Town and Country Planning Act 1990.

Application No: 18/01749/REM Ward: Chirton  
 Application Type: Approval of reserved matters  
 Location: West Chirton Industrial Estate South, Norham Road, North Shields  
 Proposal: Application for reserved matters for the appearance, landscaping, layout, and scale in accordance with condition 1 of outline approval 14/01018/OUT for the demolition of existing buildings and redevelopment of the site for 399 dwellings.  
 Applicant: Miller Homes Ltd. and Northern Trust Co. Ltd.

The Committee gave consideration to a report of the planning officer in relation to the application, together with two addenda to the report which had been circulated to members of the Committee prior to, and at, the meeting. A planning officer presented details of the application with the aid of various maps, plans and photographs.

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

- a) the timescales associated with the proposed condition requiring the applicant to submit for approval a butterfly mitigation strategy;
- b) the outcome of a viability assessment which had concluded that a maximum of 8 affordable homes (2%) could be provided without an adverse impact on the viability of the development; and
- c) the benefits of the main access to the development being from a signalised junction with Norham Road and Verne Road as opposed to a roundabout.

### Decision

The Head of Environment, Housing and Leisure be granted delegated authority 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.

(The Committee indicated that they were minded to approve the application subject to:

- a) there being no objections from the Council's Biodiversity Officer in respect of the planting plan submitted by the applicant;
- b) the conditions set out in the planning officer's report incorporating the proposed amendments set out in the addendum; and
- c) the addition or omission of any other conditions considered necessary by the Head of Environment, Housing and Leisure.)

Application No: 19/00641/FUL Ward: Chirton  
 Application Type: Full planning application  
 Location: Units 3F to 3J Plymouth Road, West Chirton Industrial Estate, North Shields  
 Proposal: Change of use to revert back to industrial Use Class B2 which is in keeping with the surrounding industrial estate.  
 Applicant: Northern Trust Co. Ltd.

The Committee gave consideration to a report of the planning officer in relation to the application. A planning officer presented details of the application with the aid of various maps, plans and photographs.

## **Decision**

The application be permitted, 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 surrounding occupiers and on the highway network and in bringing vacant buildings back into use in accordance with the relevant policies contained in the National Planning Policy Framework and the Local Plan 2017.

## **PQ12/07/19 Exclusion Resolution**

**Resolved** that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act.

## **PQ13/07/19 Planning Appeal 18/00081/OUT, Scaffold Hill, Whitley Road, Benton (Previous Minute PQ41/12/18)**

(Councillor L Darke indicated that she had submitted an objection to planning application 18/00081/OUT but she had an open mind to the matters now under consideration.)

At its meeting on 18 December 2018 the Committee had refused an outline planning application for up to 38 dwellings incorporating the undergrounding of overhead power cables and re-provision of allotments at Scaffold Hill, Whitley Road, Benton for the following reasons:

1. The proposed development would have a detrimental impact on road safety due to the lack of suitable crossing points on the A191, contrary to the advice in NPPF and Policy DM7.4 of the North Tyneside Local Plan 2017.
2. The proposed development is harmful to biodiversity in the area, contrary to Policy DM5.5 of the North Tyneside Local Plan 2017.
3. The proposed development would result in an overdevelopment of the site, having regard to the housing construction to the north of the application site, contrary to Policy DM6.1 of the North Tyneside Local Plan 2017.
4. The additional houses would have a detrimental impact in terms of flood risk to the local area, contrary to Policy DM5.12 of the North Tyneside Local Plan 2017.

The applicant had submitted an appeal to the Planning Inspectorate against the decision together with a claim for costs to be awarded against the Council.

The Committee gave consideration as to how the Council should respond to the appeal.

**Resolved** that the Head of Environment, Housing and Leisure be authorised to:

- i) defend the decision of the Committee to refuse planning application 18/00081/OUT on the grounds that the proposed development is harmful to biodiversity in the area;
- ii) withdraw the reasons for refusal relating to road safety, overdevelopment and flood risk; and
- iii) inform the appellant, Northumberland Estates, and the Planning Inspectorate as to how the Council will be proceeding with the defence of its decision.