

(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 4 September 2018.)

Planning Committee

7 August 2018

Present: Councillor F Lott (Chair)
Councillors T Brady, M A Green,
John Hunter, P Mason, J Mole,
J O'Shea and L Spillard.

PQ12/08/18 Apologies

Apologies for absence were received from Councillors J M Allan, S Graham, D McMeekan and M Reynolds.

PQ13/08/18 Substitute Members

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

Councillor J Mole for Councillor D McMeekan
Councillor J O'Shea for Councillor S Graham

PQ14/08/18 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

Councillor M A Green indicated that although she had been asked by residents to organise and chair a public meeting in relation to application 17/01543/FUL she had not pre-determined the application.

Councillor L Spillard indicated that although she lived in close proximity to the application site in respect of application 18/00680/FUL she had not pre-determined the application.

PQ15/08/18 Minutes

Resolved that the minutes of the meeting held on 10 July 2018 be confirmed as a correct record and signed by the Chair.

PQ16/08/18 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: 17/00243/FUL Ward: Riverside
Application Type: full planning application
Location: Land at Marina Frontage, Albert Edward Dock, Coble Dene, North Shields
Proposal: Development of two apartment blocks consisting of 36 no residential units and associated parking
Applicant: Cussins Property Group Ltd

The Committee gave consideration to a report of the planning officer 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:

Miss J Casson of 51 Commissioners Wharf
Mrs V Lynn of 30 Commissioners Wharf
Mrs A Thomson of 33 Commissioners Wharf
Mr K Lynn of 30 Commissioners Wharf
Mr C Senior of 56 Chirton Dene Quays
Mr M Flinders of 24 Commissioners Wharf
Mrs F Gray of 39 Commissioners Wharf
Mrs L Flinders of 24 Commissioners Wharf

Following a request from the Chair that the speakers appoint a spokesperson, they had agreed that Mr P Walton of the Royal Quays Action Group would address the Committee on behalf of the residents.

Mr Walton stated that the applicant had not made any attempt to consult with the existing residents and there had only been one letter of support for the development. He explained that the poor design of the proposal would not produce an iconic building on the site. He also referred to the lack of parking provision on the site, the distance to the nearest Metro station and explained that the proposed access to the development was dangerous as it was on a bend in the road. He referred to existing parking around the site from cruise passengers to avoid parking charges. Reference was also made to the proposals for sound attenuation and he explained that the proposed mitigation would not be sufficient to block out the noise from the cruise ships which moored nearby. He also explained that the development would prevent residents putting on live music events in the future. In addition he questioned the need for the development as there was already a lot of development going on in the area and he also referred to the modest Section 106 contribution requested of the developer.

Mr A Kahn, Port of Tyne, explained that he did not wish to address the Committee but was happy to answer Members' questions.

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

- a) the design of the proposed development and its impact on the character and appearance of the area;

- b) the commercial viability of the development if the developer was required to provide 25% affordable homes and a S106 contribution;
- c) the status of the site which had not been allocated for housing use in the Local Plan;
- d) the previous planning history of the site;
- e) the impact of the proposed development on the operation of the port; and
- f) the proposed provision of 34 car parking spaces on site and the likely impact of the development on car parking and road safety in the surrounding area.

Decision

Application refused on the grounds that:

1. The proposed development is of a poor standard of design, which fails to reflect the prominence of the site, and is of an inappropriate scale and massing. The development would result in harm to the character and appearance of the area, and adversely affect views to and from the river and the Grade II* Listed Accumulator Tower. The proposal is contrary to the NPPF, Policies DM6.1, S6.5, DM6.6 of the North Tyneside Local Plan 2017 and Design Quality SPD.
2. The applicant has failed to demonstrate that the development is not viable with the contributions that the Council is seeking, therefore the development fails to mitigate against the unacceptable impacts of the development contrary to Planning Obligations Supplementary Planning Document LDD8 and Policies S7.1 and DM7.2 of the North Tyneside Local Plan 2017.
3. The development would adversely affect protected habitats and species due to the failure to mitigate the impact of additional visitor numbers on the Northumbria Coast SPA; contrary to NPPF and Policies DM5.5 and DM6.6 of the North Tyneside Local Plan 2017.
4. Insufficient parking has been provided to meet the needs of the development, resulting in an adverse impact on the highway network, which is contrary to policy DM7.4 of the North Tyneside Local Plan 2017, LDD12 'Transport and Highways (2017)' and the National Planning Policy Framework (2018).
5. The development would impact on the security of the Tyne Commission Quay, adversely affecting Port operations; contrary to the NPPF (2018).

Application No:	17/01543/FUL	Ward:	Weetslade
Application Type:	full planning application		
Location:	Land at former School House, Sandy Lane, North Gosforth, Newcastle upon Tyne		
Proposal:	Development of 8no. managed residential letting properties, including construction of new site access and parking area and removal of one protected tree (Amended plans/documents received 22.05.2018)		
Applicant:	Mr W Collard		

The Committee gave consideration to a report of the planning officer 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 granted speaking rights:

Mr J Harbottle of 23 The Villas; and
Mr K Dowd of Roscobie, Sandy Lane.

Following a request from the Chair that the speakers appoint a spokesperson, they had agreed that Mr Harbottle would address the Committee and Mr Dowd would be available to answer Member's questions.

Mr Harbottle explained that the proposed development would have an adverse impact on the character and appearance of the conservation area, the green belt and the adjacent SSSI. He explained that he considered that the proposal was an over development of the site, being 56% larger than the footprint of the previous building on the site and it was not in keeping with the existing properties in the conservation area and did not accord with the conservation area character appraisal. Reference was also made to the recent loss of protected trees in the locality.

Mr R Wood, R and K Wood Planning LLP, attended the meeting on behalf of the applicant. He responded to the points raised by the speaker and explained that the scheme had evolved to take account of the concerns raised. The site had previously been developed and this proposal was for a residential development in a residential area, being for short term lets to professionals. He also explained that the trees on site could be protected during construction.

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

- a) The proposed use of the property and the measures in place to deal with noise and disturbance;
- b) Access to and parking on the site;
- c) The effect of the development on the biodiversity of the area; and
- d) the Sacred Heart Church, Wideopen Conservation Area Character Appraisal

Decision

Application refused on the grounds that:

1. The application site occupies a prominent position within the Sacred Heart Conservation Area. The proposed development would result in an overdevelopment of this site to the detriment of the character and appearance of this part of the conservation area. As such the proposed development is contrary to Policies DM6.1 and DM6.6 of the North Tyneside Council Local Plan (2017) and the Sacred Heart Church, Wideopen Conservation Area Character Appraisal, January 2009.
2. The proposed development by virtue of its design, siting and appearance would result in an unacceptable impact on the character and appearance of the immediate surrounding area including the Sacred Heart Conservation Area. As such the proposed development is contrary to Policies DM6.1 and DM6.6 of the North Tyneside Council Local Plan (2017) and the Sacred Heart Church, Wideopen Conservation Area Character Appraisal, January 2009.

3. The proposed development would result in an unacceptable impact on biodiversity as it would not contribute to or enhance the natural environment. As such the proposed development is considered to be harmful to the biodiversity and visual amenity of the area contrary to NPPF and Policy DM5.7 of the Local Plan (2017).
4. The proposal would introduce a business use (Short term residential lets) that due to the increased activity in terms of comings and goings and additional noise associated with the use would have an adverse impact upon the amenity and character of the surrounding residential area contrary to the advice in NPPF and Policies DM6.1 and DM5.19 of the North Tyneside Local Plan (2017).

Application No: 18/00680/FUL Ward: Valley
 Application Type: full planning application
 Location: Site of former 12, 14-18, 26-30, 90-93a, 94-95, Bayfield, West Allotment, Newcastle upon Tyne
 Proposal: Redevelopment of site for the erection of 18 dwellings
 Applicant: The Coal Authority

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.

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

- a) the expected lifespan of the material used to stabilise the land;
- b) that the application was for a like for like development
- c) the fact that a precautionary approach had been adopted and no development would take place until the land had been properly stabilised.

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, ecology 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.