

Record of Delegated Non Executive Decisions by Officers

1. Subject of Decision

Planning application 19/01095/FULES – Northumberland Estates – land off Killingworth Lane

2. Delegation Reference

Minute PQ67/23 Planning Committee 11 January 2024.

Resolved that

(The Committee indicated that it is minded to grant the application; and The Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:

(i) The conditions set out in the planning officer's report and any subsequent addendums and the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development; and

(ii) Completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:

Primary education £933,900

Sports Pitch £182,535

Built Sports £225,002

Sustainable transport £846,072

Coastal mitigation £83,956. This contribution complies with the requirements derived from the Coastal Mitigation SPD

Travel Plan Sum £154,568. This contribution complies with the requirements derived from the Transport and Highways SPD

£1,000 per year for 5 years for travel plan monitoring after final occupation in accordance with North Tyneside Travel Plan guidance;

Up to 10% affordable housing subject to the council investing in the delivery of the A19 interchange improvements via CIL.

(iii) The Head of Law and Monitoring Officer and the Director of Regeneration and Economic Development are authorised to undertake all necessary procedures (Section 278 Agreement) to secure the following highway improvement works:

- Site Access South
- Site Access North
- Killingworth Way, Northgate and Greenhills
- Killingworth Way and Station Road

(iv) The Head of Law and Monitoring Officer be authorised to undertake all necessary procedures to obtain the diversion and extinguishment of existing rights of way and footpaths necessary to facilitate the development under Section 257 of the Town and Country Planning Act 1990.

3. Name and Title of Decision Maker

John Sparkes, Director of Regeneration and Economic Development

4. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

5. Executive Summary

To determine an application (Reference 19/01095/FULES) from Northumberland Estates relating to a hybrid application comprising: Full planning permission for the change of use of agricultural land and development of 432 no. residential dwellings (including affordable housing), highway improvements and associated infrastructure and engineering works, creation of a new access from the A19 Interchange, SUDS, landscaping and open space, and other ancillary works. Outline planning permission with all matters reserved except access for the change of use of agricultural land and development of 118 no. residential dwellings (including affordable housing), residential development of High Farm with 6 no. new dwellings, associated infrastructure and engineering works, landscaping and open space, and other ancillary works.

Two addendums were circulated prior to the meeting with one additional objection, a representation from Nexus, clarification regarding a house type, additional queries with regards to their request to speak at the meeting, an additional condition from the Biodiversity Officer and clarification regarding the

provision of up to 10% affordable housing subject to the Council investing in the delivery of the A19 interchange improvements via CIL (subject of a separate side agreement)

One additional objection has been received since the committee meeting with no new issues raised.

The S106 and side agreement are expected to be signed tomorrow.

Since the committee meeting the applicant has submitted further information regarding public transport, with a proposed revised public transport figure. The level of contribution previously agreed and which was reported to planning committee was £846,072. They are now proposing a reduction to £797,874. This has been discussed with Nexus and they have advised that they have no objections to the revised figure based on assurances and plans provided by Stagecoach. The level of service will not be affected. IPB sub group have been consulted on the reduction and no response has been received. The Chair of planning committee, Councillor Willie Samuel, has been made aware of this and he has advised that he is comfortable with the Director of Regeneration and Economic Development agreeing to progress the S106 with the amended public transport figure.

To conclude, it is considered that there are no material changes that require this application to be referred back to Planning Committee.

6. Alternative Options Considered

- a) To grant permission subject to the conditions set out in the planning officers report; or
- b) To refuse the application.

7. Decision(s)

Permission be granted subject to:

- a) the conditions set out in the committee agenda and addendums; and
- b) securing an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 to obtain the following contributions:

- Primary education £933,900
- Sports pitch £182,535
- Built sports £225,002
- Sustainable transport - £797,874 (amended figure)

- Coastal Mitigation £83,956.
- Travel Plan Sum £154,568.
- £1,000 per year for 5 years for Travel Plan monitoring after final occupation in accordance with North Tyneside Travel Plan guidance.
 - c) - Up to 10% affordable housing subject to the council investing in the delivery of the A19 interchange improvements via CIL.

8. Reasons for the Decision(s)

Having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework (December 2023), the proposed development was considered to be acceptable having regard to NPPF paragraph 11 and the impacts of the development would not significantly and demonstrably outweigh the benefits.

The S106 and side agreement are expected to be signed tomorrow.

9. Date Decision Made

The decision will be issued once the S106 Agreement is engrossed.

10. Date of Publication (where appropriate)

3/6/24