



North Tyneside Council

Planning Committee

15 November 2021

Dear Councillor,

Further to the agenda previously circulated for the meeting of the Planning Committee to be held on Tuesday, 16 November 2021 please find attached further supplementary papers in relation to the following item:

Agenda Item		Page
6.	19/00257/FULES, Land Adjacent to Rake House Farm, Rake Lane, North Shields	3 - 8

To determine a full planning application from Northumberland Estates for development of 318 residential dwellings (including affordable housing) and associated infrastructure and engineering works, creation of new access from A191 Rake Lane, creation of SuDS and open space.

Circulation overleaf ...

Members of the Planning Committee:

Councillor Ken Barrie
Councillor Julie Cruddas
Councillor Margaret Hall
Councillor Chris Johnston
Councillor John O'Shea
Councillor Willie Samuel (Chair)

Councillor Trish Brady (Deputy Chair)
Councillor Muriel Green
Councillor John Hunter
Councillor Frank Lott
Councillor Paul Richardson

ADDENDUM 2 – 15.11.2021

Application No:	19/00257/FULES	Author	Maxine Ingram
Date valid:	25 February 2019	:	
Target decision date:	17 June 2019	☎:	0191 643 6322
		Ward:	Collingwood

Application type: Full application with Env Statement

Location: Land Adjacent To Rake House Farm Rake Lane North Shields Tyne And Wear

Proposal: Development of 310 residential dwellings (including affordable housing) and associated infrastructure and engineering works, creation of new access from A191 Rake Lane, creation of SuDS and open space. EIA submitted. (Additional information revised plans, TA and TP August 2020, July and August 2019, revised plans July 2019 and amended description)

Applicant: Northumberland Estates, Mr Guy Munden Quayside House 110 Quayside Newcastle NE1 3DX

RECOMMENDATION: Minded to grant legal agreement req

1.0 Representation

1.1 A further representation from Persimmon Homes Limited and Bellway Homes Limited (dated 15.11.2021) has been received. This is set out in full below:

1.2 We refer to the above application, our letter dated 4th November and the Planning Officer's reports to committee the contents of which have now been considered in detail. Officers are fully aware of how much effort the Consortium have put into overcoming the hurdles necessary to deliver the wider site and our position on this application has simply sought to protect this shared goal.

1.3 The detail within the report provides us with comfort on the following matters:

1. That the highway capacity concern can be removed based upon the Highway Officers comments and the Northumberland Estates Limited (NEL) commitment to deliver infrastructure improvements at Rake Lane Junction and Foxhunters;
2. That the proportionate infrastructure contributions will be index linked;
3. That the S106 will contain clauses to ensure that those contributions being made towards wider site infrastructure, to be delivered by the Consortium, will be held by the Council and made available when required;
4. That planning conditions/obligations necessary to ensure physical and legal connectivity between the sites will be put in place when required.

1.4 In addition to this ongoing positive dialogue with NEL has confirmed (set out below) that as part of collaborative working towards the delivery of the wider site they are prepared to grant a Deed of Release in relation to Mines and Minerals rights

across the wider site upon the grant of this Planning Permission. Whilst not a planning matter this is of significant assistance in ensuring we can deliver a fully policy compliant application for the wider site early in the New Year.

1.5 On the basis of the above the Consortium can confirm our support and that our objection to this application is withdrawn and we look forward to seeing the overall site finally coming forward in a comprehensive and collaborative way.

2.0 Correspondence from applicant

2.1 The correspondence between the applicant to Persimmon Homes Limited and Bellway Homes Limited is summarised below. The applicant has agreed to the following:

Northumberland Estates will proportionately contribute to the S106 requirements of the Council (as sent to you and set out in the Council's committee report), provide off-site mitigation over and above requirements, and undertake highway improvements to fully mitigate the impact of its development. These commitments and highways improvements to be undertaken as S278 works mean that our development can be implemented without completion of the spine road or prejudice the delivery of the wider masterplan. Collectively these contributions provide in excess of a 10% contribution to overall S106 and infrastructure costs of the masterplan, a position which is fully accepted by the Council.

I confirm with regard to our commercial position Northumberland Estate agree to grant residential rights in relation to mines and minerals following the grant of the planning permission.

It is incumbent upon us to work together, both in relation to this site and more generally on business, and we look forward to this in the future.

Written Statement of Mr Samuel Fisher before the North Tyneside Council Planning Committee, in respect of Planning Application Reference 19/00257/FULES

16 November 2021

Chairman and members of the Planning Committee, I thank you for the opportunity to provide this written statement. It is provided in my capacity as a local naturalist and resident of North Tyneside near to the proposed development.

I would like to record my continued objection to the above application. Whilst there are grave concerns around flooding risk posed by the proposal, I will focus on the application's impact on biodiversity and nearby statutorily designated sites (the Coastal Special Protection Area "SPA" and RAMSAR sites).

North Tyneside's natural heritage is remarkable and something of which we should all be proud. Yet development across the borough continues to damage biodiversity, placing our natural heritage at risk, as we struggle to adequately safeguard it through the planning system. It is within this context that the above development has been proposed.

As the Committee will be aware the proposal is within 6 kilometres of three statutorily designated sites of national or international importance (the Coastal SPA and RAMSAR sites). This means it is of critical value to wading birds, which use our coastline in wintertime to roost and refuel, with many staying the entire winter. As residents of North Tyneside we are privileged to share our coastline with wildlife in this way. Unfortunately, as noted in the Planning Officer's report, this proposal will likely have significant impacts on these sites through increased recreational disturbance (primarily dog-walking), which prevents the birds from feeding and resting, ultimately leading to detriment at a population level.

However, the Officer's report inaccurately asserts that these impacts can be mitigated by a financial contribution of around £104,000 towards the Coastal Mitigation SPD, with the suggestion that funds may be used to employ a warden. This sum would not pay for such measures for more than a few years and what then? In any event it would be almost impossible to effectively close parts of the North Tyneside coastline in winter, given the sheer

number of residents already using it. Where such measures have been employed elsewhere, this has typically been during the breeding season (a shorter period in spring and early summer), in areas with significantly lower recreational pressure. It is inaccurate to conclude that the negative impacts of the proposal on the Coastal SPA can be adequately mitigated and therefore the application remains contrary to Local Plan policy DM5.6 and the NPPF.

Populations of farmland birds have dwindled in North Tyneside as their habitat has been rapidly developed, with specific impacts on Red and Amber-listed species of conservation concern. The Strategic Allocation sites of Murton Gap and Killingworth Moor are amongst the last strongholds in the borough for species such as Skylark (Red-listed), Grey Partridge (Red-listed), Yellowhammer (Red-listed), Reed Bunting (Amber-listed) and Meadow Pipit (Amber-listed). Such species rely on the open aspect of farmland habitat; once developed, it is no longer suitable, making mitigation difficult. The Planning Officer's report wrongly asserts that the proposal's impacts on our farmland birds can be adequately mitigated through off-site compensation, at Backworth. It remains unclear whether this compensation site has been secured or for how long. The Committee may remember that an area of Murton Gap was previously promised as a compensation site for development elsewhere, and yet it now finds itself subject to development as part of the Strategic Allocation, meaning a planning condition was broken. Will this happen at Backworth too? The proposal therefore remains in contravention of Local Plan policy DM5.5.

The Committee should also be aware that the wintering bird assessments provided in the application's ecological reports are woefully out of date and unreliable, and imply that only species of limited concern use the site in winter. In fact, in the winter of 2020-21 the site held flocks of up to c. 50 Yellowhammer, c.200 Reed Bunting, c.200 Linnet and c.200 Skylark simultaneously; representing notable counts of Red and Amber-listed species, not just in the borough but the whole of Northumberland.

When considering this application I would urge the Committee to disregard the Biodiversity Net Gain report and assertions that the proposal will result in a net gain for biodiversity. This concept is completely meaningless and there is almost no empirical evidence demonstrating the achievement of biodiversity net gain in any previous UK development.

It should be clear to the Committee that the proposal places North Tyneside's natural heritage in significant jeopardy. Not only that, the applicant and the Council's Planning Officers have been unable to rigorously demonstrate that the proposal is aligned to the NPPF and Local Plan policies, in respect of its obligations to biodiversity and our local wildlife. I urge the Committee to reject this application. Thank you.

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