Planning Committee

Tuesday, 3 September 2019

Present: Councillor F Lott (Chair)
Councillors K Barrie, B Burdis, L Darke, S Graham, M Green, P Richardson, W Samuel and J Stirling

Apologies: Councillors T Brady and F Weetman

PQ27/19 Appointment of substitutes

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

Councillor J O'Shea for Councillor T Brady

PQ28/19 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ29/19 Minutes

Resolved that the minutes of the meeting held on 6 August 2019 be confirmed as a correct record and signed by the Chair.

PQ30/19 Planning Officer 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.

PQ31/19 19/00706/OUT, Land at the Rear of Cobalt Exchange, Abbey Road, Wallsend

The Committee gave consideration to a report of the planning officer in relation to the application, together with addenda to the report which had been circulated to the members of the Committee both prior to the meeting and at 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 James Hall from Barton Willmore was permitted to speak to the Committee on behalf of Highbridge Properties Ltd.

Mr Hall referred to the success of the Cobalt Business Park operated by Highbridge. Highbridge were not complacent and work continued to attract businesses to occupy vacant office space available on the park. Highbridge objected to the proposed development on the grounds that application failed to comply with the Council's planning policies because:

a) 12-14 crates would be used for food uses and this did not amount to an ancilliary use;
b) the proposed condition restricting the use of leisure facilities by members of the public was not enforceable;
c) the sequential assessment of preferable town centre locations had not been done properly as consideration had not been given to sites within a 10 minute travel zone, to edge of town sites or to a more flexible disaggregated approach.

Mr Hall requested that if the development were permitted it should be on a temporary basis, subject to stringent controls and the applicant should be required to undertake the sequential test properly.

Mr Mark Ketley, of BH Planning and Design, and Mr Dan Miller, of Crate Park Limited, addressed the Committee to respond to Mr Hall's comments. Mr Ketley outlined the intention to provide incubator office space in which new businesses would be supported to grow and hopefully re-locate to larger town centre properties. This type of facility was not available anywhere in the region. There would be strict controls over the types of business using the Crate Park to ensure there would be no conflict with Cobalt Business Park. Mr Miller provided further background details of how the Crate Park would provide new businesses with access to low risk small business incubator units.

Members of the Committee asked questions of Mr Hall, Mr Ketley, Mr Miller and officers and made comments. In doing so the Committee gave particular consideration to:

a) the methodology used by the applicants in carrying out a sequential test of preferable town centre sites;
b) the proportion and nature of the food and leisure businesses to be located on the Crate Park;
c) the proposed use of the function or event space;
d) the market research undertaken by the applicants to establish that there was demand for such a facility;
e) the possibility of providing a taxi rank on the site;
f) the provision of parking places for people with disabilities;
g) the restrictions on the possibility of converting the crates for residential use in the future; and
h) the proposed conditions limiting the use of the Crate Park for retail and leisure uses.

Following questioning it was proposed that if the Committee were minded to grant the application, the permission be granted subject to an additional condition requiring the applicant to provide a taxi rank on site for the purposes of highway safety and the details to be approved by the Council prior to construction.

Decision

The application be permitted, subject to the conditions set out in the planning officer's report, the addendum to the report and the additional condition agreed by the Committee set out above, as the development was considered to be acceptable in terms of the principal of development, its impact on the character and appearance of the area, the amenity of surrounding occupiers, biodiversity and highway safety in accordance with the relevant policies contained in the National Planning Policy Framework and the Local Plan 2017.

PQ32/19 Greymartins, Backworth, Tree Preservation Order 2019

The Committee was presented with details of a Tree Preservation Order made on 4 April 2019 to protect two groups of trees located within the grounds of Greymartins, Backworth Lane, Backworth. The Order had been made following notice from the owners of the property that they were considering felling a number of trees due to concerns the trees were causing damage to the property.

The owners of the property had objected to the confirmation of the Order and had provided evidence that damage to the property had been caused by subsidence due to clay soil shrinkage and that the influence of the adjacent trees may have been a contributory factor. The Committee were presented with details of the objection and the evidence of clay soil shrinkage for consideration together with commentary and guidance from the Council's landscape architect. The Council's landscape architect advised that the evidence submitted was inconclusive regarding the influence of the trees as other contributory factors such as drainage had been discounted. In view of this and the prominence of the trees and their significant contribution to the character and appearance of the area it was recommended that the Order be confirmed without modification.

Resolved that the Greymartins, Backworth Lane, Backworth Tree Preservation Order 2019 be confirmed without modification.

(Reasons for decision: The evidence submitted to show that damage caused to Greymartins is caused by the trees is inconclusive and the trees contribute significantly to the character and appearance of the area.)