

## **Planning Committee**

**Tuesday, 1 September 2020**

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

### **PQ92/20 Appointment of substitutes**

There were no substitute members appointed.

### **PQ93/20 Declarations of Interest**

There were no declarations of interest or dispensations reported.

### **PQ94/20 Minutes**

**Resolved** that the minutes of the meeting held on 4 August 2020 be confirmed and signed by the Chair.

### **PQ95/20 Planning Officer Reports**

The Committee received guidance in relation to the principles of decision making when determining planning applications and then gave consideration to the planning applications listed in the following minutes.

### **PQ96/20 19/01216/FUL, Land Adjacent to Hatfield House, Borough Road, North Shields**

The Committee considered a report from the planning officers, together with an addendum circulated prior to the meeting, in relation to a full planning application from Low Town Developments for the erection of 6no. three storey townhouse style terraced dwellings with communal parking and rear amenity space.

A planning officer presented details of the application with the aid of various maps, plans and photographs. During the meeting officers recommended that if the Committee were minded to grant permission then this be subject to an additional condition restricting the hours of construction.

In accordance with the Committee's Temporary Speaking Rights Scheme Carol Hawkins of Vicarage Street, North Shields had been granted permission to submit a written statement to the Committee. However Ms Hawkins had not responded to the invitation and no statement had been received.

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

- a) the impact of the development on the stability of land surrounding the site;
- b) the responsibility of the developer and/or land owner for securing a safe development;
- c) the proposed condition requiring further investigations and mitigation measures in relation to contaminated and unstable land;
- d) the relationship between the application and the separate, unlinked application for the demolition of the Borough Road footbridge and the timing of each development which would be a matter for each developer to determine;
- e) the design of the town houses in relation to the site's gradients;
- f) the impact of the development on the character and appearance of the New Quay Conservation Area;
- g) the location of the proposed off street car parking; and
- h) the loss of trees, landscaping and part of a wildlife corridor.

**Resolved** that planning permission be refused on the following grounds:

1. The proposal would result in the loss of habitat and trees that would have an adverse impact upon biodiversity contrary to the advice in NPPF and policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan 2017.
2. Insufficient information on land stability has been submitted to demonstrate that the site could be developed safely and not affect adjacent land such as Tennyson Terrace. The proposal is therefore contrary to the advice in NPPF and policy DM5.18 of the North Tyneside Local Plan 2017.
3. The proposed design would have an adverse impact upon the character and appearance of the New Quay Conservation Area contrary to the advice in NPPF and policies DM6.1 and DM6.6 of the North Tyneside Local Plan 2017, and The Design Quality Supplementary Planning Document (2018).

#### **PQ97/20      20/00004/FUL, Site of Former NHS Flats, Rake Lane, North Shields**

The Committee considered a report from the planning officers in relation to a full planning application from Lidl GB Ltd for the erection of a new discount foodstore (Class A1) with new access, associated car park and landscaping.

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 impact of the development on the local highway network and in the context of proposed housing developments contained within the Local Plan;
- b) the loss of open space and the proposal to replace the loss with a grassed open space within the site; and
- c) the outcome of the applicant's town centre impact assessment and the cumulative impact of out of town retail developments.

**Resolved** that the application be permitted subject to the conditions set out in the planning officers report.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on highway safety, residential amenity, the character and appearance of the area, loss of open space, ecology and biodiversity.)

**PQ98/20            20/00569/FUL, Backworth Park Primary School, Station Road, Backworth**

The Committee considered a report from the planning officers, together with an addendum circulated prior to the meeting, in relation to a full planning application from North Tyneside Council for the development of the site for executive homes comprising 5no. four bedroom detached homes and 2 no. five bedroom homes.

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 impact of the development on highway safety in the surrounding area; and
- b) the condition requiring the applicant to submit for approval a construction method statement which would include details of how construction vehicles would access and operate on the site.

**Resolved** that the application be permitted subject to the conditions set out in the planning officers report and its addendum.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on heritage and design, the amenity of existing and future occupiers, parking and highway safety, trees, ecology and biodiversity and the loss of open space.)

**PQ99/20            20/00871/FUL, Sterling Pharma Solutions Ltd, Dudley Lane, Dudley**

The Committee considered a report from the planning officers, together with an addendum circulated prior to the meeting, in relation to a full planning application from Sterling Pharma Solutions Ltd for the construction of additional pre-treatment steps to be integrated with existing on-site biological effluent treatment plant. This will comprise additional enclosed storage tanks, biological treatment tanks and associated ancillary pipework. A greenhouse will be erected to the east of the existing biological effluent treatment plant.

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 reasons for the audible alarms heard from the site by neighbouring residents attributed to alarm tests;
- b) there being no history of complaints to the environmental health team regarding the

- operation of the plant; and
- c) a ward councillor's account of the positive relationship between Sterling Pharma Solutions and neighbouring residents.

**Resolved** that the application be permitted subject to the conditions set out in the planning officers report and an addendum.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on the character and appearance of the area and highway safety.)

#### **PQ100/20      11 East Farm Mews, Backworth, Tree Preservation Order 2020**

The Committee gave consideration as to whether to confirm the making of the 11 East Farm Mews, Backworth Tree Preservation Order 2020. The Order had been made to protect a Sycamore Tree located in the grounds of 11 East Farm Mews, Backworth on 3 April 2020 in response to information from the owners of the property that they were considering felling the tree in question due to their concerns of the tree causing damage to their property.

An objection to the confirmation of the Order had been received from the owners of the land on the grounds of:

- a) The size of the tree in relation to the property and potential damage it could cause and not being appropriate to the current surroundings;
- b) The tree has very limited amenity value, with almost no public visibility and therefore shouldn't be considered for a TPO;
- c) The tree had suffered from branch failure and disease evidence on its leaves;
- d) The impact of the tree on the owners health was a serious concern; and
- e) Surrounding trees had been removed without being subject to a TPO therefore the principle to remove this tree should be acceptable.

The committee considered the objection, a response to the grounds for objection from the Council's landscape architect and guidance relating to the making of tree preservation orders.

**Resolved** that the 11 East Farm Mews, Backworth Tree Preservation Order 2020 be confirmed without modification.

(Reasons for decision: The sycamore tree is in fair condition, reasonably healthy with no major defects. It has high amenity value, located in a prominent position within the rear garden, highly visible to and enjoyed by a significant number of occupiers of neighbouring residential properties and from vehicular traffic and pedestrians on East Farm Mews. The tree in question is an important element of the local landscape and its biodiversity and provides important screening across the rear gardens of neighbouring properties. Confirming the TPO will not prevent any necessary tree work from being carried out, but will ensure the regulation of any tree work to prevent unnecessary or damaging work from taking place that would have a detrimental impact on the amenity value, health and long term retention of the tree. Protecting the trees will be in accordance with policies DM5.9, S6.5 and DM6.6 of the Council's Local Plan 2017.)