

Planning Committee

Tuesday, 17 December 2019

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

PQ44/19 Appointment of substitutes

There were no substitute members appointed.

PQ45/19 Declarations of Interest

With reference to planning application 18/01497/FUL, Councillor Lott acknowledged that there were records in the public domain indicating that the Riverside Ward Councillors were in favour of demolition of Borough Road Footbridge. He stated that he had not predetermined the application and he had an open mind to the arguments to be presented at the meeting.

PQ46/19 Minutes

Resolved that the minutes of the meeting held on 26 November 2019 be confirmed and signed by the Chair.

PQ47/19 18/01497/FUL, Borough Road Footbridge, North Shields

The Committee considered a report from the planning officers in relation to a full planning application from North Tyneside Council for the demolition of Borough Road Footbridge, including works to the abutments and masonry walls at both bridge approaches and stopping up the existing public right of way including the footway off Tennyson Terrace.

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 objectors had been granted permission to speak to the Committee:

Ms Vicki Gilbert of St Georges Road
Mr Henry Stamp of Hylton Street
Ms Caroline Hawkins of Vicarage Street
Dr Katherine Wright of The Plateau
Dr Nicholas Martin of The Plateau
Mrs Caroline Cansdale of Bewicke Road
Mr John Hastie of Spring Terrace
Mrs Diane Attersall of Tennyson Terrace

The Chair had requested that the speakers liaise with each other to appoint lead spokespersons and so Ms Vicki Gilbert, Mr Henry Stamp and Ms Caroline Hawkins addressed the meeting.

Ms Gilbert commented that demolition of the footbridge would have a detrimental impact on vulnerable people living in a deprived ward and it would isolate communities. The bridge provided a quiet, congestion free route with valued views over the surrounding conservation area. Despite an inadequate public consultation exercise there was significant public opposition to the proposed demolition. The new pedestrian crossing on Borough Road was not a suitable alternative.

Mr Stamp commented that usage of the bridge was likely to increase with the development of Smiths Dock and he contended that the Council had neglected the bridge as no maintenance works had been undertaken since 2011. Mr Stamp referred to the strong presumption against development proposals which will harm heritage assets, unless it is necessary to achieve wider public benefits that outweigh the harm and they cannot be met in any other way. Mr Stamp believed the wider public benefits could be achieved in another way, the proposed replacement of Tanners Bank metro bridge was unlikely to be funded from the costs of repairing the Borough Road bridge, there was no certainty that the Tanners Bank improvements would proceed as they would require planning permission and he remained unconvinced that funding was a material planning consideration. Mr Stamp was dissatisfied with the action taken in response to the recommendations arising from the equalities impact assessment and he questioned the value of monitoring the use of the new pedestrian crossing if people with disabilities were unable to access it.

Mrs Hawkins referred to the New Quay & Fish Quay Conservation Area Character Statement which highlighted the importance of the footbridge in complementing the listed buildings in the area.

Members of the Committee asked questions of the speakers when the location, nature and access to the new pedestrian crossings on Borough Road was discussed and Mr Stamp confirmed that the North Tyneside Public Transport Users Group did not have the resources to apply for funding to repair the bridge.

Colin McDonald, the Council's Senior Manager, Technical and Regulatory Services, addressed the Committee to respond to the speakers' comments. He outlined the process followed since 2011 which had led to the Council considering the options as to whether to repair (at an estimated cost of £360,000 plus risk costs), replace (at an estimated cost of just less than £1m) or to demolish (at an estimated cost of £65,000). The Council's preferred option was demolition because of evidence of low levels of use of the bridge, agreement that there would be less than significant harm to the conservation area, relatively few objections arising from the public consultation exercise and difficulties in securing additional funding for repairs or replacement. Mr McDonald explained how the Council funded and prioritised maintenance of its highway assets and how the proposed improvements to the Tanners Bank area would benefit the regeneration of the Fish Quay area.

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

- a) funding options for the repair or replacement of the footbridge;
- b) the estimated lifespan of the footbridge;
- c) usage of the new pedestrian crossing on Borough Road;

- d) the loss of the bridge as a non-designated heritage asset and harm to the character and appearance of the conservation area; and
- e) the public benefits of the proposal in terms of other priorities contained within the Council's Highways Asset Management Plan and regeneration strategies.

Resolved that (1) the Committee indicated that it is minded to grant the application; (2) the Secretary of State be notified of the intention to grant permission and provide him/her with the opportunity to intervene in the decision making process and call in the application for his/her own determination; and (3) subject to confirmation that the Secretary of State does not wish to call in the application, the Head of Environment, Housing and Leisure be granted delegated authority to determine the application, subject to the conditions set out in the planning officers report, an additional condition restricting the hours of construction working on site and any subsequent amendments, omissions or additional conditions, provided no further matters arise, which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

(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 as there are substantial public benefits which outweigh the less than substantial harm to the conservation area caused by the demolition of the bridge and the total loss of the bridge itself. The development was considered to be acceptable in terms of its impact on the highway network, including in relation to the loss of an existing pedestrian route and the amenity of surrounding occupants and ecology.)

PQ48/19 19/01075/FUL, Woodlands, Killingworth Drive, West Moor

The Committee considered a report from the planning officers in relation to a full planning application from Mr & Mrs Humphrey for erection of a new two storey dwelling. An addendum to the report had been circulated to the members of the Committee prior to the meeting.

In accordance with the Committee's speaking rights scheme Mr B Irving of Whitecroft Road had been granted permission to speak to the Committee but he was unable to attend. A further request to speak from Mrs E Little of Whitecroft Road had not been permitted because the request had been received after the deadline.

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 likely impact of the proposed development on the K1/K2 bus service;
- b) the reasons why it had not been necessary for the applicant to undertake a biodiversity assessment;
- c) the adequacy of the proposed off street car parking within the development site; and
- d) the condition requiring the applicants to commence the development within three years from the date of the permission being granted.

Resolved that (1) the Committee indicated that it is minded to grant the application subject to a Unilateral Undertaking being agreed under Section 106 of the Town and Country Planning Act 1990; and

(2) the Head of Housing, Environment and Leisure be granted delegated authority to determine the application following the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution towards the Coastal Mitigation Strategy.

(Reason 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 is acceptable in terms of the principle of the development, its impact on visual and residential amenity, the character and appearance of the area, highway safety and ground conditions.)