

Planning Committee

Tuesday, 18 January 2022

Present: Councillor W Samuel (Chair)
Councillors K Barrie, T Brady, J Cruddas, M Green,
M Hall, T Mulvenna and J O'Shea

Apologies: Councillors C Johnston, F Lott and P Richardson

PQ58/21 Appointment of substitutes

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

Councillor T Mulvenna for Councillor P Richardson

PQ59/21 Declarations of Interest

Councillor J Cruddas declared a non-registerable personal interest in relation to the 18 Station Road, Forest Hall Tree Preservation Order because she lived close to Station Road, Forest Hall.

Councillors M Hall and M A Green both declared registerable personal interests in relation to planning application 21/02424/TELGDO, Land Adjacent to North Tyneside General Hospital, Rake Lane, North Shields because they had been appointed by the Council as Co-opted Governors of Northumbria Healthcare NHS Foundation Trust.

PQ60/21 Minutes

Resolved that the minutes of the meeting held on 14 December 2021 be confirmed and signed by the Chair.

PQ61/21 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.

PQ62/21 21/02173/FUL, Land to the West of Bellway Industrial Estate, Benton

The Committee considered a report from the planning officers, together with an addendum circulated at the meeting, in relation to a full planning application from Northumberland County Council for construction of an underpass, works to public rights of way, construction of soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works.

A planning officer presented details of the application with the aid of various maps, plans and photographs. During the presentation the Committee were advised to disregard a recommendation contained within the report seeking authority for the Director of Law and Governance to enter a legal agreement for the long term maintenance of the development because this function did not fall within the terms of reference of the Committee.

In accordance with the Committee's Speaking Rights Scheme John Rose of Ashcroft Drive, Forest Hall had been granted permission to speak to the Committee. He stated that an underpass was unnecessary as there was an alternative option to provide a crossing controlled by warning lights. The proposed underpass would deviate from the route of the existing footpath requiring the loss of trees that would take 30-40 years to replace and damage would be caused by the excavation of the tunnel. The underpass would provide shelter for undesirable people. The nearby metro underpass had a notorious history of drug taking, glue sniffing and attacks. Mr Rose also referred to the unwelcome acoustics of the existing underpass and nearby residents did not want this effect in stereo. A light controlled crossing would be a safe and common sense solution as the frequency of trains would be less than the Metro who safely operated light controlled crossings.

Alannah Healy of SLC Property addressed the Committee to respond to the speakers' comments. She explained how the proposed development was part of a wider scheme to reinstate passenger train services from Newcastle to Ashington to improve access to South East Northumberland and stimulate economic growth. As part of this scheme Network Rail had undertaken an assessment of the safety of all crossings in consultation with local communities. The preferred solution at this site was an underpass to be shared by pedestrians and cyclists which would remove any conflicts with rail traffic. The height, width and alignment of the underpass had been designed to mitigate against the risks of anti-social behaviour and replacement planting would provide a biodiversity net gain. As the proposal complied with the relevant planning policies the Committee were urged to permit the application.

Members of the Committee asked questions of John Rose, Alannah Healy and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the nature and outcome of the consultation with neighbouring residents, initially in relation to options for the crossing and more recently in relation to the proposed underpass;
- b) the proposed scheme to deal with the risk of ground water flooding in the underpass;
- c) the proposal not to install lighting in or around the underpass and the likely implications for the safety of users. The Committee believed that it had a responsibility to ensure development provides safe and accessible places. It was proposed and agreed that should the application be permitted, it should be subject to a condition requiring the applicant, prior to the commencement of work, to submit to the Authority for approval a scheme for the installation of lighting along the proposed path and to install this lighting prior to the underpass coming into use;
- d) the links between this route and other cycling routes and proposed cycling infrastructure improvements in the area;
- e) the economic benefits of reinstating passenger rail services on the line; and
- f) the risks associated with pedestrian level crossings.

Resolved that the application be permitted subject to the conditions set out in the planning officers report, incorporating those amendments set out in the addendum to the report, and an additional condition requiring the applicant, prior to the commencement of work, to submit to the Authority for approval a scheme for the installation of lighting along the

proposed path and to install this lighting prior to the underpass coming into use.

(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 local environment, flood risk, highway safety and the residential amenity of neighbouring residents in terms of noise and visual impact during the construction and operational phases.)

PQ63/21 21/02424/TELGDO, Land Adjacent to North Tyneside General Hospital, Rake Lane, North Shields

The Committee considered a report from the planning officers in relation to an application from CK Hutchinson Networks (UK) Ltd seeking a determination as to whether prior approval was required for the siting and appearance of a proposed 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.

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 David Burdis of Rosewood Close, North Shields had been granted permission to speak to the Committee but he was unable to attend the meeting.

Resolved that the Council does not exercise control over the site and appearance of the monopole and cabinet.

(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 its impact on the visual amenity of surrounding occupiers and the character and appearance of the area.)

PQ64/21 18 Station Road, Forest Hall Tree Preservation Order 2021

The Committee gave consideration as to whether to confirm the making of the 18 Station Road, Forest Hall, Tree Preservation Order 2021.

The Council had been notified of the intention to carry out works to an Ash Tree situated in the front garden of 18 Station Road, Forest Hall. In response the Council had decided to make a Tree Preservation Order (TPO) to protect the tree. Notice of the TPO had been served on those people with an interest in the land and two objections to the TPO had been received from the owner of the tree and the next door neighbour. The owner had also submitted two arboricultural reports which were submitted to the Committee. The objections were on the grounds that:

- a) the tree is suffering from ash dieback and should be removed;
- b) the tree is within Benton conservation area and therefore already protected and no reason to make the tree subject to a TPO;
- c) a previous approved application of works to the tree show a record of compliance by the owner of following the due process and appropriately managing the tree;
- d) concerns of structural damage believed to be caused by the roots of the tree;

- e) the tree is looking increasingly unhealthy;
- f) cars are being damaged by sap and pollen from the tree; and
- g) the tree is in a dangerous condition and should be felled for reasons of safety because of the risk posed by the tree falling on property and parked cars.

The Committee considered the objections together with the comments of the planning officers and the Council's landscape architect before deciding whether to:

- a) confirm the TPO without modification;
- b) confirm the TPO with modifications; or
- c) not to confirm the TPO.

Resolved that the 18 Station Road, Forest Hall, Tree Preservation Order 2021 be confirmed without modification.

(Reason for decision: The Committee were satisfied it was necessary to confirm the Order without modification to maintain and safeguard the contribution made by the tree to the landscape and visual amenity of the area.)