

Planning Committee

Tuesday, 15 February 2022

Present: Councillor W Samuel (Chair)
Councillors K Barrie, T Brady, M Green, M Hall,
C Johnston, F Lott, J O'Shea and P Richardson

Apologies: Councillors J Cruddas

PQ65/21 Appointment of substitutes

There were no substitute members appointed.

PQ66/21 Declarations of Interest

Councillor M Hall declared a non-registerable personal interest in relation to planning application 21/00920/FUL, Land at Former Tynemouth Victoria Jubilee Infirmary, Hawkeys Lane, North Shields because her daughter is a partner at the Collingwood Surgery, Hawkeys Lane which is adjacent to the site and she also declared a registerable personal interest in relation to the same item because she is a Director of Rising Sun Farm Trading Co. Ltd.

PQ67/21 Minutes

Resolved that the minutes of the meeting held on 18 January 2022 be confirmed and signed by the Chair.

PQ68/21 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.

PQ69/21 21/01891/FUL, Land at former Coleman N E Ltd Site, Walker Place, North Shields

The Committee considered a report from the planning officers in relation to a full planning application from P North Developments Limited for the variation of condition 1 (approved plans) of planning approval 17/00835/FUL, revised elevation details to house types, revised ridge heights, addition of basements to plots 12 and 13 and a retaining wall.

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 Samantha Curtis of Curtis Planning and Development Surveyors, had been granted permission to speak to the Committee on behalf of residents living in Renaissance Point, North Shields. She stated that whilst the residents had no objections to the principle of the development they believed that the proposed alterations to the design of plot 3 would have a detrimental impact on privacy, amenity and on the conservation area because of:

- a) the larger windows to be installed on the southern and western elevations overlooking neighbouring properties in Renaissance Point and the Irvin Building;
- b) the increase in height of the development; and
- c) the increased area of black cladding which would be overbearing and inappropriate in the conservation area.

She stated that the proposals did not accord with Policy S1.4 of the Council's Local Plan and she asked that the Committee either to refuse the application or defer consideration to enable the applicant to submit a revised plan.

Stephanie Linnel of George F White LLP addressed the Committee to respond to the speakers' comments on behalf of the applicants. She described the history of the site and the challenges faced by the applicant in progressing the development. She explained that the proposed materials were in keeping with the area, the changes in the height of the development would allow for the homes to be accessible for those with disabilities, the windows on the western elevation overlooking Renaissance Point would not be habitable rooms and would be obscure glazed and the additional cladding would align with the remainder of the development. She stated that the proposed amendments would deliver a high quality development without any harm to the conservation area and there had been no objections from any statutory consultees.

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

- a) the location and design of the proposed windows in the western and southern elevations of plot 3 and their relationship with neighbouring properties in Renaissance Point and the Irvin Building;
- b) details of recent planning enforcement complaints and investigations in relation to the site; and
- c) the need to secure a Deed of Variation to ensure that the terms of the Section 106 Agreement previously secured in relation to the original planning application also applied to the grant of any variation.

Resolved that (1) the Committee is minded to grant the application subject to a variation to the existing legal agreement under Section 106 of the Town and Country Planning Act 1990 and the addition, omission or amendment of any other conditions considered necessary; and
(2) the Director of Housing, Environment and Leisure be authorised to determine the application following the completion of the Section 106 Legal Agreement.

PQ70/21 21/02281/FUL, Land Adjacent to 36 Falkirk, Killingworth

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 Mrs Jackson for a change of use from open space to residential C3 garden space including the erection of a 1.8m fence.

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, Councillor Janice Mole, a councillor for the Camperdown Ward, had been granted permission to speak to the Committee on behalf of Councillor Jim Allan. Councillor Mole explained that the fence had been erected in April 2021 and it had drawn numerous objections from residents living nearby the property. The land was not owned but maintained by the Council therefore permission would need to be granted by the Council as the responsible body but no permission had been sought nor approved. The fence was contrary to the area and posed a safety issue because of its height and impact on both natural light and street lighting, creating a narrow pathway contrary to public safety. Councillor Mole asked that the application be declined and that the enforcement team be requested to take immediate action.

Marcus Jackson on behalf of his wife, the applicant, addressed the Committee to respond. He explained the problems that he had experienced with people using the land as a dog toilet, an escape route for anti-social behaviour and littering and so he had investigated the possibility of acquiring the land. He described the steps he had taken to establish who owned the land, understand the Council's and the developers interests in the land and the implications of fencing off the land under the Land Registry's adverse possession rules. He had read guidance on whether planning permission would be required but was not aware that a change of use would be required. Since the land had been fenced off the anti-social problems had stopped. He did not believe that the fence blocked views of the estate, he considered that there were few local objections and there was support for the fence from the nearest neighbour who overlooked the area.

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

- a) the applicant's intention to use the area of land as a garden;
- b) the process requiring the applicant to publish a public notice seeking to establish ownership of the land; and
- c) the loss of open space and the impact of the development on the character and visual amenity of the area.

Resolved that (1) the Committee is minded to refuse the application for the reasons set out in the Planning Officers report; and

(2) the Director of Housing, Environment and Leisure be granted delegated authority to determine the application following the expiry of the consultation period associated with the publication of a public notice by the applicant relating to the ownership of the land.

PQ71/21 21/02389/FUL, Whitley Bay High School, Deneholm, Whitley Bay

The Committee considered a report from the planning officers, together with two addendums, one circulated prior to the meeting and another at the meeting, in relation to a full planning application from the Department for Education for the demolition of existing school buildings and development of a replacement school building and sports hall, along with car parking, hard and soft landscaping and access arrangements.

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 scope, beyond the terms of the planning application, for the improvement of access to Whitley Bay High School from Deneholm;
- b) the design and appearance of the proposed school building;
- c) the provision of a lift within the school building to aid access to all areas.

Resolved that (1) the Committee is minded to grant the application subject to the consultation period expiring on 24th February 2022, and the conditions set out in the planning officers report and addendums and the addition or omission of any other considered necessary, subject to the receipt of any additional comments received following expiry of the consultation period; and

(2) the Director of Environment, Housing and Leisure be authorised to determine the application providing no further matters arise which in the opinion of the Director raise issues not previously considered which justify reconsideration by the Committee.

PQ72/21 20/01271/FUL, 2 Eastern Villas, Springfield Park, Forest Hall

The Chair reported that following publication of the agenda, the applicant's agent had notified the Council that the applicant would be submitting a viability appraisal and that they wished for the matter to be deferred until the viability matter was resolved. The application had therefore been withdrawn from the agenda.

PQ73/21 21/02172/FUL, Park Hotel, Grand Parade, Tynemouth

The Committee considered a report from the planning officers in relation to a full planning application from The Inn Collection Group for a two storey extension to provide 20 hotel bedrooms, a single storey Fish & Chip takeaway and ice cream parlour, hotel kitchen, internal plant room, toilets and core circulation space, extended and improved external terrace area, car parking and landscaping. External works to existing building including replacement of all windows and doors, removal of existing render and re-rendering, and repairing external boundary walls. Wall mounted CCTV cameras.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

Members of the Committee commented on their support for the proposed development which would improve the physical appearance of the site, create employment and complement other neighbouring visitor attractions.

Resolved that (1) the Committee is minded to grant this application subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 and the addition, omission or amendment of any conditions considered necessary; and

(2) the Director of Housing, Environment and Leisure be authorised to determine the application following the completion of the Section 106 Legal Agreement to secure the following:

- Employment and Training: £10,000 towards employment initiatives within the borough

- Coastal mitigation: £6,682 towards the Coastal Mitigation Service

PQ74/21 21/02355/FUL, Former Motor Hog, Wallsend Road, North Shields

The Committee considered a report from the planning officers in relation to a full planning application from Mandale Construction Ltd for the demolition of existing buildings and erection of 39no. hybrid units for Use Class B2 and B8.

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 definition of Use Classes B2 (General Industrial) and B8 (Storage and Warehousing); and
- b) the adequacy of access to the site for heavy goods vehicles.

Resolved that (1) the Committee is minded to grant this application subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 and the addition, omission or amendment of any other conditions considered necessary; and (2) the Director of Housing, Environment and Leisure be authorised to determine the application following the completion of the Section 106 Legal Agreement to secure the following:

- Employment and Training: £15,000 towards employment initiatives within the borough
- Travel Plan Bond: £10,000
- Travel Plan Monitoring Fee: £1,250 (£250 per annum).
- Ecology: £18,900 towards habitat creation, management and monitoring

PQ75/21 21/00920/FUL, Land At Former Tynemouth Victoria Jubilee Infirmary, Hawkeys Lane, 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 Sea Island Developments for a proposed 51no. of extra care accommodation. Use Class C2 (residential Institutions).

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 provision of outdoor garden space for residents and whether this satisfied any minimum national standards;
- b) provision within the development to accommodate 24 hour care support; and
- c) the adequacy of vehicular access to the site from Hawkey's Lane and its impact on the neighbouring doctors' surgery.

Resolved that (1) the Committee is minded to grant the application subject to
i) the receipt of a scheme of off-site habitat creation to secure a net gain in biodiversity and comments from the Biodiversity Officer and Landscape Architect to confirm this

- information is satisfactory;
- ii) any agreement under Section 106 of the Land and Country Planning Act 1990 considered necessary to deliver this scheme; and
- (2) the Director of Environment, Housing and Leisure be authorised to determine the application subject to the conditions listed below and the addition, omission or amendment of any conditions considered necessary, providing no further matters arise which in the opinion of the Director, raise issues not previously considered which justify reconsideration by the Committee.