

(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 30 October 2018.)

Planning Committee

2 October 2018

Present: Councillor F Lott (Chair)
Councillors J M Allan, T Brady,
S Graham, M A Green, John Hunter,
G Madden, D McMeekan and L Spillard.

PQ22/10/18 Apologies

Apologies for absence were received from Councillor P Mason.

PQ23/10/18 Substitute Members

There were no substitute members.

PQ24/10/18 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

PQ25/10/18 Minutes

Resolved that the minutes of the meeting held on 4 September 2018 be confirmed as a correct record, subject to the inclusion of Councillor G Madden among the list of those members present, and signed by the Chair.

PQ26/10/18 Planning Officer's 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.

Application No:	18/01097/OUT	Ward:	Northumberland
Application Type:	Outline planning application		
Location:	Land adjacent to 87 Sunholme Drive, Wallsend		
Proposal:	Outline permission for the erection of 2no detached 3 bedroom houses with garage and additional parking for 2no cars each		
Applicant:	Shenstone Properties		

The Committee gave consideration to a report of the planning officer in relation to the application, together with an addendum to the report which had been circulated to members prior to the meeting. A planning officer presented details of the application with the aid of various maps, plans and photographs.

Prior to consideration of the application a member of the Committee requested that the matter be deferred to allow members to undertake a fact finding site visit. This would enable members to gain a better understanding of the concerns raised by residents including access to the site and the risk of flooding. The request was rejected by the Committee.

In accordance with the Committee's Speaking Rights Scheme, Mr Simon King of 58 Sunholme Drive was permitted to speak to the Committee. Mr King had lived at the address for 25 years and he recounted the occasions when the watercourse to the east of the site had flooded, twice affecting properties in Sunholme Drive. He was also concerned that the housing development at East Benton Rise would add to the flooding risk. Mr King described the parking difficulties in Sunholme Drive which would be made worse by the proposed development. He understood that the site had been designated as a play area. The space had been used for many years by children in the neighbourhood and there was not any alternative open areas in the immediate vicinity. For these reasons Mr King believed that the proposed development would have a detrimental impact on the existing community living in Sunholme Drive.

The applicants, or their representatives, were not present at the meeting.

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

- a) the status of the site, which was not identified for any specific purpose in the Local Plan but had previously been subject to a Section 38 highways adoption agreement;
- b) the effect of a proposed condition requiring the applicant to submit to the Council for approval a construction method statement which would include details of where plant and machinery would be stored on site;
- c) the flood risk from the adjacent watercourse and the impact of the neighbouring East Benton Rise development on the flood risk;
- d) the likely impact of the development on the character and appearance of the area and on the residential amenity of existing properties;
- e) the car parking difficulties in the area; and
- f) the loss of open space in the area.

Decision

Application refused on the grounds that:

1. The application site occupies a prominent position within an existing residential estate. The proposed development would result in an overdevelopment of this site to the detriment of the surrounding area, including parking provision. As such the proposed development is contrary to policy DM6.1 of the North Tyneside Council Local Plan (2017).
2. The proposed development would result in the loss of an area of open space to the detriment of the function of the surrounding area. As such the proposed development is contrary to policies DM4.5 and DM6.1 of the North Tyneside Council Local Plan (2017).
3. The proposed development by virtue of its layout and siting would result in an unacceptable impact on the character and appearance of the immediate surrounding area. As such the proposed development is contrary to policy DM6.1 of the North Tyneside Council Local Plan (2017).

4. The proposed development by virtue of its layout and siting would result in an unacceptable impact upon the residential amenity of existing properties. As such the proposed development is contrary to policy DM6.1 of the North Tyneside Council Local Plan (2017).

Application No:	18/01144/FUL	Ward:	Whitley Bay
Application Type:	Full planning application		
Location:	46-60 Park View, Whitley Bay		
Proposal:	Renovation and subdivision of the existing vacant unit into two units and change of use from A1 (retail) to A3 (cafe/restaurant) and A4 (drinking establishment)		
Applicant:	HT Leisure Ltd		

The Committee gave consideration to a report of the planning officer in relation to the application, together with an addendum circulated to the Committee 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, Councillor John O'Shea, the ward councillor for Whitley Bay Ward, was permitted to speak to the Committee. Councillor O'Shea explained he was speaking on behalf of residents in Roxburgh Terrace and Park View who had objected to the planning application and related licensing application. Councillor O'Shea had attended the Licensing Sub-Committee on 18 September 2018 when a Premises Licence had been granted but the applicants had agreed on a number of compromises which had addressed many of the residents' concerns about noise, the hours of operation and the use of the rear of the premises. However some concerns remained about the dispersal of customers from the premises and the noise and disturbance they may cause in Park View. Councillor O'Shea also expressed concerns regarding the possibility of tables and chairs being placed on the pavement of Park View.

Mr Heron and Mr Talbot, Directors of the applicant company, HT Leisure Ltd, accompanied by Ms P Ramsay of Nicholson Nairn Architects, spoke to the Committee to respond to Councillor O'Shea's points. They described how the company had purchased the property to operate two separate businesses, The Giraffe Lounge and Mr Petit. These were commercial operations but the company sought to provide training and employment opportunities for young people with Autism and learning difficulties. They confirmed that they had agreed to a number of compromises at the licensing hearing and they indicated that they accepted the proposed conditions set out in the planning officer's report.

Members of the Committee asked questions of Councillor O'Shea, Mr Talbot, Mr Heron and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the proportion of the premises to be used by each business and the nature of each business;
- b) the effect of a proposed condition limiting the time period within which any permission for furniture to be placed on the adopted highway could apply;
- c) the meaning of the term "drinking establishment" as defined in The Town and Country Planning (Use Classes) Order 1987;
- d) the Council's powers to regulate the conduct of customers smoking outside the premises; and
- e) the Council's policies contained within the Local Plan aimed at promoting the vitality and viability of town centres.

Decision

Application approved, subject to the conditions set out in the planning officer's report, as the development was considered to be acceptable in terms of the principal of development and its impact on residential amenity, the character and appearance of the area and on highway safety in accordance with the relevant policies contained within the National Planning Policy Framework and the Council's Local Plan 2017.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.