

Record of Delegated Non Executive Decisions by Officers

1. Subject of Decision

Application 22/02251/FUL – Startastic Dance Studio, Park Road, Whitley Bay, Tyne and Wear, NE26 1LT

2. Delegation Reference

Planning Committee [Monday, 8 July, 2.00pm \(Item 6\)](#)

(1) **Resolved** that

- (1) the Committee is minded to grant the application; and
- (2) the Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:
 - i) the conditions set out in the planning officers report; and,
 - ii) the addition, omission or amendment of any other conditions considered necessary; and
 - iii) the completion of a Section 106 legal agreement to secure a financial contribution for the following:
 - Equipped area for play/multi use games area: £8,400
 - Primary education: £25,000
 - Employment and training: 0.5% of the total capital costs amount to be provided by developer
 - Coastal mitigation: £4,044
 - Affordable housing: 1 unit onsite for sale at discounted market value.
- (3) the Head of Law and the Director of Regeneration and Economic Development to undertake all necessary procedures (Section 278 Agreement) to secure:
 - New access
 - Upgrade of footpath abutting the site
 - Associated highway drainage
 - Associated street lighting
 - Associated road markings
 - Associated signage
 - Associated Traffic Regulation Orders

3. Name and Title of Decision Maker

John Sparkes, Director of Regeneration and Economic Development in consultation with the Chair and Deputy Chair of the Planning Committee, Councillors W Samuel and J Cruddas

4. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

5. Executive Summary

To determine an application (Reference 22/02251/FUL) from RPN Planning Limited on behalf of Abby Court Developments Ltd for the demolition of the existing buildings on the site and the construction of a 3 storey building containing 12no. apartments and associated parking and landscaping.

The S106 legal agreement was completed on 20 September 2024.

Since the application was considered by planning committee 8 July 2024, three additional objections have been received. These do not raise any new material planning considerations. A direct response has been provided to one resident who raised specific questions relating largely to non-planning matters.

The wording of condition no.27 is proposed to be amended as follows, to ensure that the privacy screen for unit 12's balcony is installed prior to first occupation:

Prior to their installation details of all screen and boundary walls, fences and any other means of enclosure (including the design of access gates onto Park Road), shall be submitted to and approved in writing by the Local Planning Authority.

The details must also include the 1.7m high privacy screen to the external terrace of unit 12. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. The boundary treatments/privacy screens shall be retained at all future times.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

6. Alternative Options Considered

- a) To grant permission subject to the conditions set out in the planning officers report and securing an agreement under Section 106 of the Town and Country Planning Act 1990; or
- b) To refuse the application.

7. Decision(s)

Permission be granted subject to:

- a) the conditions set out in the report to Planning Committee on 8 July 2024
(*via the weblink in section 2 above*)
- b) the revised condition 27 as set out above (*Section 5, Executive Summary*).

8. Reasons for the Decision(s)

Having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was considered to be acceptable in terms of the principle of development, its impact on the character and appearance of the site and its surroundings, the living conditions of surrounding occupiers and future occupiers, its impact on biodiversity and on the highway network.

9. Date Decision Made

20.09.24

10. Date of Publication (where appropriate)

26.09.24