

Question to Mayor Redfearn (26 November, 2020 Council Meeting)

At a meeting of the Planning Committee on 21 February, 2017 an application was permitted for a flood prevention scheme for Briar Vale on the Murton Gap site adjacent to the nearby Briar Vale housing:-

16/01956/FUL Land to the rear of Briar Vale, Whitley Bay (Monkseaton South Ward)

The decision notice lists 15 planning conditions, 14 of which were included in the case officer's report to the Committee. The 15th was added by request of 2 members of the Committee and concerned the impact on Marden Quarry to which water would be diverted via a Rake Lane surface water sewer:-

15) Prior to the discharge of any surface water from the dry storage basin to the NWL sewer network, full details of the improvement of the outfall within Marden Quarry must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

The requirement for this additional condition is described in the minutes of the Planning Committee meeting thus:-

Members of the committee asked questions of officers and made comments. In doing so the committee gave particular consideration to the impact of the proposal on the flood risk at Marden Quarry. An additional condition was proposed and agreed so that prior to the discharge of any surface water from the dry storage basin to the sewer network, full details of the improvement of the outfall within Marden Quarry must be submitted to and approved in writing by the Local Planning Authority.

The work was commenced in September, 2018 and completed in February, 2019. No application to discharge any of the conditions were made during the course of the work despite requests by the case officer who was reminded of the importance of condition 15 by a ward councillor for Whitley Bay, one of the Committee members.

An application to discharge the conditions was made in March, 2019:-

Discharge of Conditions - 19/00306/COND

I submitted objections to the claims made in 19/00306/COND to the Planning Manager; in particular to those relating to condition 15 made by a council officer that I knew to be untrue. As a result of an unresolved Freedom of Information request (FOI 0879) I was able to inspect correspondence between council officers about the Briar Vale scheme that confirmed that the case officer had, more than once, ask for submissions relating to the discharge of conditions on 16/01956/FUL during the course of the work.

Below is an extract from my emailed message to the Planning Manager dated 21 April, 2019 – this is my question to Mayor Redfearn:-

I would also like to know what sanctions will be applied to the applicant/agent for the non-compliance to conditions as listed in the decision notice issued on 22 February, 2017 for 16/01956/FUL.