

NORTHUMBERLAND COUNTY COUNCIL
CASTLE MORPETH LOCAL AREA COUNCIL

At a meeting of the **Castle Morpeth Local Area Council** held in the Council Chamber, County Hall, Morpeth, NE61 2EF on Monday, 08 October 2018 at 4.30pm.

PRESENT

Councillor S. Dickinson
(Vice-chair (Planning), in the Chair)

COUNCILLORS

Armstrong, E
Bawn, D
Beynon, J.A
Dodd, R.R
Dunn, L

Jones, V
Sanderson, H.G.H
Towns, D.J
Wearmouth, R

OFFICERS IN ATTENDANCE

Bowers, H
Masson, N
Sinnamon, E
Willis, C
Wood, T

Democratic Services Officer
Solicitor
Interim Head of Planning Services
Planning Technician
Senior Planning Officer

Two members of the public and one member of the press were in attendance.

61. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jackson and Ledger.

62. MINUTES

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Council held on Monday, 10 September 2018 as circulated, be confirmed as a true record and signed by the Vice-chair (Planning).

63. DECLARATIONS OF INTEREST

Councillor Towns declared a non-prejudicial interest in planning application 18/02189/FUL as he was a client of the applicant's company.

Councillor Dunn declared a non-prejudicial interest in planning application 18/02273/FUL. Although she had been requested by residents to bring the application to committee, she had not pre-determined the application.

Councillor Wearmouth declared a non-prejudicial interest in planning application 18/02189/FUL as he had requested that the application be considered by the committee to better understand the issues regarding Green Belt issues.

Councillor Dickinson declared a non-prejudicial interest in planning application 18/02273/FUL as he had corresponded with the agent but had not expressed a view.

DEVELOPMENT CONTROL

64. DETERMINATION OF PLANNING APPLICATIONS

The attached report explained how the Local Area Council needed to decide the planning applications attached to this agenda using the powers delegated to it and included details of the public speaking arrangements. (Report attached to the signed minutes as Appendix A.)

RESOLVED that the report be noted.

65. 18/00483/DISCON

Construction of 6 detached bungalows

26 Station Road, Stannington, Morpeth, Northumberland, NE61 6DS

Tamsin Wood, Senior Planning Officer, introduced the application. Since the report had been written 7 letters of support had been received stating that the development would not have an impact on the Green Belt, was in keeping with the area, the types of housing were needed and the demand for bungalows was high. The letters had not raised any new issues. (Report as Appendix B).

Mrs Wood continued by way of a slides presentation.

Tony Carter, on behalf of the agent then spoke in support of the application, of which the keys points were:

- His client was very disappointed at the recommendation to refuse, given the precedent that had been set on Station Road
- The statement made by the case officer in the committee report where it was stated that applying the five purposes of Green Belt would not apply in this case. Why then, had those same purpose tests in a recent delegated decision at 33 Station Road and on land adjacent to this site for six bungalows been applied in those cases? Indeed, all 13 planning applications on Station Road in the last 2 years had been assessed against those Green Belt purposes
- The application site served none of those purposes, this being confirmed in the same case officer's assessment on the site adjacent to this in February of this year
- In this decision, only the 5th purpose, which was *"to assist in urban regeneration by encouraging the recycling of derelict and other urban land"* applied. This purpose

now surely being negated by the case officer assessment of this site advising the site is in an urban, built up area

- Saved Structure Plan Policy 55 never had boundaries set as intended and the precise boundaries, including those around settlements, should be defined in Local Plans, including around Stannington Station remained disputed in the latest consultation on the new local plan
- The NPPF advised that when setting new Green Belt boundaries, plans should, amongst others, not include land which is unnecessary to keep permanently open and, to define boundaries clearly, using physical features that are recognisable and likely to be permanent
- The obvious logical boundary to any settlement was a natural border such as a fence line or hedgerow, not through the middle of a garden as is the case in this application. There was a clearly defined, large established hedgerow delineating the open countryside to the south and development to the north, running from the petrol station and house to Furrow Grove. Surely this was a more useful and natural boundary ?
- Whilst the Case Officer referred to inspectors' definitions of infill from a 2009 decision, 12 years before the publication of the current NPPF, in those decisions, the inspectors stated that it was one test of infill. This indicated that there were other tests - as recently shown in the Council's delegated decision in Woolly, Hexham where the Case Officer stated that *"this is a simple definition and not entirely relevant to all circumstances as each case must be looked at on its own merits"*
- He urged members to consider the merits of allowing the development of modest, single storey dwellings, the very special circumstances demonstrated, which the applicant would highlight in her presentation and overturn the officer's recommendation to refuse

Vicky Fleming, applicant was in attendance and spoke in support of the application of which her key points were:

- She assured members that they were a small, local, family run company and their application proposed bespoke bungalows which would be adaptable for a range of needs, including disabled and elderly people
- The 6 bungalows on the adjacent site had been unanimously approved by the committee in February, which were all reserved. There was also significant interest in this application.
- An ageing population coupled with a high demand for accessible housing on one level, meant there was a lack of supply for this type of accommodation. A 2014 household projection survey showed demand was double the supply.
- The development would create jobs by using local trades people and sourcing materials from local businesses
- Having a further 6 families at Furrow Grove would help sustain and grow the communities of Stannington Station, Stannington Village and Netherton Park, from shopping from the farm shop, cafe, garage, convenience store or becoming members of Stannington WI
- The proposals confirmed with Stannington Neighbourhood Plan and all consultations and all technical objections had been satisfied. The application was supported by a number of current residents of Furrow Grove and adjacent parishes
- She asked the committee to overturn the planning officer's recommendation for refusal to allow them to build this type of housing that was much needed in Northumberland

Members then asked questions to officers of which the key points from responses were:

- the nearest shop to the site was the petrol station which was situated west of the site
- the principle of this development was different. Furrow Grove was a previously developed site and not an infill
- the case officer clarified the location of the compound site which would revert back to that of a garden
- the Interim Head of Planning Services advised that previous applications for land had been for previously developed use and subsequently given permission. She referred to the test of infill alluded to in the case officer's report in relation to a Court of Appeal decision

Councillor Dodd then moved the officer recommendation to refuse the application. This was seconded by Councillor Beynon.

Debate then followed of which the key points from members were:

- members mostly welcomed that the Green Belt should be protected
- it was understood that there was a demand for these types of properties however, Green Belt policies should be followed

On being put to the vote, the motion to refuse the application was agreed by five votes for, three against and two absentions. It was therefore:

RESOLVED that the application be **REFUSED** for the reasons outlined in the report.

66. 18/02273/FUL

**Install a roller shutter housing to kitchen door and install top-hung inward opening windows to the east elevation of first floor flat
Bank Top Stores and residential flat, Front Street, Ellington, Morpeth,
Northumberland, NE61 5JA**

Connor Willis, Planning Technician introduced the report with the aid of a slides presentation and gave an update to members. (Report enclosed as Appendix D)

Since the report had been written a fourth letter of objection had been received from a neighbour to the west of the property in relation to the shutter and roller shutter housing and encroachment to the neighbour's land and land ownership issues. However, these were considered as civil matters.

Stewart Askew, objector was in attendance and spoke in objection of the application, his key points of which were:

- He did not have any objection to the shutter but was only objecting to the windows on the east elevation
- The conditions set out in the original plan were to be opaque and non-opening for privacy concerns

- If the application was granted it would give a direct line of sight into his mother's bedroom and living room
- If the installation of the windows was for fire regulations, there was a door in situ on the north elevation
- There was a 4 metre drop from the windows
- His objection was purely on grounds of privacy
- There was 12.4 metres between the applicant's property and his mother's property
- There were other solutions available

Gerry Dodd, applicant was in attendance and spoke in support of the application. The Key points of which were:

- He was a freelance civil engineer
- The opening window was for building control purposes
- He disagreed with the dimensions and stated that there was 25 metres between the east face of his client's property and numbers 1 and 2 The Elms and overlooking was impossible and that the objector's complaint was invalid
- It was impossible to overlook the adjacent property to the east
- There had been a longstanding battle with the the objector's mother and his clients and there had been numerous problems
- There had been a rectificaion of a boundary issue 5 years ago
- This was a small shutter housing of only 2 metres

Members then asked questions to officers of which the key points from responses were:

- Members had to decide whether the principle of the development was acceptable. The applicant already had permission for the windows
- The distance measured between the properties was 15.5 metres
- There were no other windows to the first floor east side elevation
- The windows already in place were obscured rather than with a film
- The main part of the window opened in and over

Councillor Wearmouth then moved the officer recommendation to grant the application. This was seconded by Councillor Jones.

Debate then followed of which the key points from members were:

- Loss of privacy
- Clarification of why the windows were being changed
- Health and safety trumped privacy

On being put to the vote, the motion to grant the application was agreed by six votes for, one against and three absentions. It was therefore:

RESOLVED that the application be **GRANTED** subject to the conditions outlined in the report.

67. PLANNING APPEALS UPDATE

Members were asked to note the progress of the planning appeals. (Report enclosed as Appendix E).

RESOLVED that the information be noted.

68. DATE OF NEXT MEETING

It was noted that the next meeting would take place on Monday, 12 November 2018 in the Council Chamber, County Hall, Morpeth.

CHAIR _____.

DATE _____.