

EXTRACT FROM MINUTES OF LOCAL AREA COUNCIL CASTLE MORPETH

12 FEBRUARY 2018

103. 16/04486/FUL**Detailed planning proposal for 53 residential dwellings and associated infrastructure****Land North Of The Garth, Pottery Bank, Morpeth, Northumberland.**

(Report attached to the signed minutes as Appendix 1)

Haley Marron, Principal Planning Officer, introduced the application and provided a brief overview. She updated Members as follows:-

- A Members' site visit was undertaken on 8th February 2018.
- Two additional letters of objections had been received from local residents, however, no new issues were raised in addition to those already set out in the report.
- Minor revisions to the wording of condition 2 were required to ensure that the approved plans/document list was correct.
- There was duplication between landscaping conditions 4 and 21. These conditions related to the planting of the buffer zones with Cotting Burn. It was proposed that condition 4 be deleted and that condition 21 be amended to include correct drawing numbers.
- An additional landscaping condition was required for the rest of the development.
- Minor revision was required to condition 22 to ensure that parking relating to the particular dwelling was implemented prior to occupation.

Maureen Davison spoke in objection to the application, and her key points were:

- There would be pollution and noise from static vehicles at the traffic lights. There should be independent traffic analysis.
- Close proximity of SUDs basins and concerns regarding standing water and accumulated water effect on the shifting sand geology and drainage issues. An independent assessment was required.
- There were privacy and security concerns. A zone was allocated for dog walking and play. The area was unsuitable for unsupervised youngsters to play due to the proximity to a busy road.
- Massing and the identikit design of the development would ruin the area. If development was inevitable then it should be less dense.
- Multiple additional journeys would be created with approximately two cars per house in the new development.
- The sewers were already not coping and the development would just compound the problem.

- The Conservation Area and Listed Buildings in Morpeth were worthy of better treatment.
- The development was contrary to the new Neighbourhood Plan which had legal weight.

Councillor Andrew Tebbutt (Morpeth Town Council) spoke in the local member slot and his main points were:-

- Morpeth Town Council objected on a number of grounds.
- Much hard work had gone into producing the Morpeth Neighbourhood Plan and it should be the blueprint for identifying suitable development sites in Morpeth.
- This site had always had outstanding environmental quality although was looking neglected since being identified by a developer.
- The site was never intended for this type of development. The SHLAA information which helped inform the Neighbourhood Plan envisaged maximum of 40 houses.
- A neighbouring site was approved for 39 houses and this, along with 53 on this site, represented more than twice the SHLAA assessment. This was not consistent with the Neighbourhood Plan.
- Morpeth was close to 80% overdevelopment. There were already over 3,000 approved houses for Morpeth. Development was slowing down as houses were not selling.
- The installation of traffic lights at the entrance to the estate would not improve traffic flow. A roundabout would be better for traffic flow.

Samuel Kenny (agent) then spoke in support of the application, and his key points were:

- The development was within the settlement boundary of Morpeth and not protected land.
- The NPPF supported the site.
- The development reflected the SHLAA. Of the 6 hectares, only 2.25 hectares would be developed with the rest being landscaped. There would be nine dwellings per hectare.
- Affordable housing would be provided.
- SUDS would provide on site attenuation for surface water emanating within the development.
- There would be significant landscaping
- The development reflected the character of other properties in the area.
- No harm would be caused to the Conservation Area
- There was no specific ecological designation on this site.
- Highways had sufficient capacity.

Members asked questions to officers and the key points from responses were:

- There was no clear definition of the meaning of 'severe' in the phrase 'severe residual cumulative impacts'. The trip rate indicated an additional 26 vehicle movements out in the morning peak hour at the future 2032 assessment year. Trips would split left and right at the junction, those travelling towards Morpeth diluting on the highway network such that there would be no material impact at junctions remote from the site.
- There was no housing allocation on this site in the Neighbourhood Plan or Castle Morpeth Local Plan. However, it was located within the defined settlement limits in both plans.
- The SHLAA was an information tool for policy officers only and not actual policy.
- The Morpeth Neighbourhood Plan did not identify this site for housing but it did not mean that the proposal was contrary to the plan.
- There was a 6.5 year housing supply but this should not be seen as a ceiling. This should not be used as a reason for refusal.
- Planning applications were usually accompanied by assessments but they were not independently verified as Northumberland County Council had its own experts who were able to advise.
- The proposal had been scrutinised by principal engineers in the Highways Development Management Team. 53 properties was quite a small number in the context of a residential development. A full Transport Assessment was usually only required for developments of over 80 properties. This proposal was borderline for necessitating a Transport Statement, generally required for more than around 50 dwellings. The design of the signal junction reflected the findings of a road safety audit. Traffic signals tended to assist pedestrians and cyclists crossing more than would a roundabout.
- Each planning application had to be considered on its own merits and the transport statement considered committed development and effects of the Morpeth Northern Bypass. If traffic impact was to be used as a reason for refusal, then evidence would be needed of the harm that would be caused by the predicted number of vehicle trips.
- It was not known why the original proposal for a roundabout had been replaced by traffic lights. Reference was made to an appeal decision elsewhere in the country where an Inspector had granted permission for a development accessed via a signalised junction on a section of dual carriageway subject to a 70 m.p.h. speed limit.
- Loss of amenity was not a strong reason for refusal.
- The applicant was not required to show why a particular type of junction had been chosen. It was probable that a simple priority junction could not be provided due to the location of an existing junction opposite and the position on the inside of a bend.
- The Environment Agency had been consulted and were satisfied with the proposals. the works would not impact upon the Cotting Burn and the newly installed dam / flood alleviation scheme.

- Water flood risk assessment had been carried out and flows from the site into the Cotting Burn would be the same as greenfield runoff rates.
- Two SUDS basins were proposed, which would provide the necessary attenuation on site.
- A condition had been requested relating to groundwater.
- Natural England provided advice on ecological effects. There should be a 15 m buffer between dwellings and ancient woodland. This had been tested and upheld at appeal. Overall, there were no ecological objections but conditions would be required.
- There was not believed to be a significant effect on red squirrels.

Councillor H.G.H. Sanderson then moved deferral of the application to allow an independent cumulative impact traffic survey to be undertaken. There was no seconder to this motion and so the motion fell.

Councillor D. Bawn, seconded by Councillor J. Beynon, moved refusal of the application on the following grounds:-

- Impact on traffic had not been properly assessed.
- The area was not designated for housing in the Morpeth Neighbourhood Plan and there was a 5 year housing supply.
- Impinged on a wildlife corridor.
- Flooding impact
- Affect on amenity from massing and height differentials

Debate then followed and the key points from members were:

- The development could look like a castle overlooking houses at Pottery Court.
- Traffic lights at the junction seemed to be over the top for this development.
- It was not possible to 'buy a view' and this was not a planning consideration.
- A roundabout would be better than the proposed traffic lights.
- There appeared to be not many houses considering the level of ecological damage that would be caused. Nothing much was being gained.
- There would be an effect on the red squirrel population.
- There were a number of potential flooding problems and more alleviation works would be required. On a nearby estate at Lancaster Park, there was a lot of standing water.
- If there was flooding and further alleviation works were required, who would pay for them?

On being put to the vote, it was agreed by 6 votes for to 3 against with 0 abstentions, that it be

RESOLVED that the application be **REFUSED** on the following grounds:-

- Insufficient information had been submitted to assess whether the development would not have a severe residual cumulative impact on the highway network. The development was, therefore, contrary to the NPPF (2012).
- The site was not a designated site for housing development and was, therefore, contrary to the Morpeth Neighbourhood Plan (May 2016).
- Insufficient information had been submitted to fully demonstrate that the development would not increase the risks of flooding. The development was, therefore, contrary to the NPPF and Policy Inf1 – Flooding and Sustainable Drainage of the Morpeth Neighbourhood Plan (May 2016).
- The proposed development by virtue of its design, height and massing, would have an adverse impact on the amenity of residents at Pottery Bank Court, contrary to the NPPF, Castle Morpeth Local Plan Saved Policy H15 (2003, Saved Policies 2007) and Policy Des1 of the Morpeth Neighbourhood Plan (May 2016).